HURRISH MOOKERJEE'S WRITINGS

SELECTIONS FROM THE WRITINGS OF

HURRISH CHUNDER MOOKERJI

COMPILED FROM

THE HINDOO PATRIOT

EDITED BY

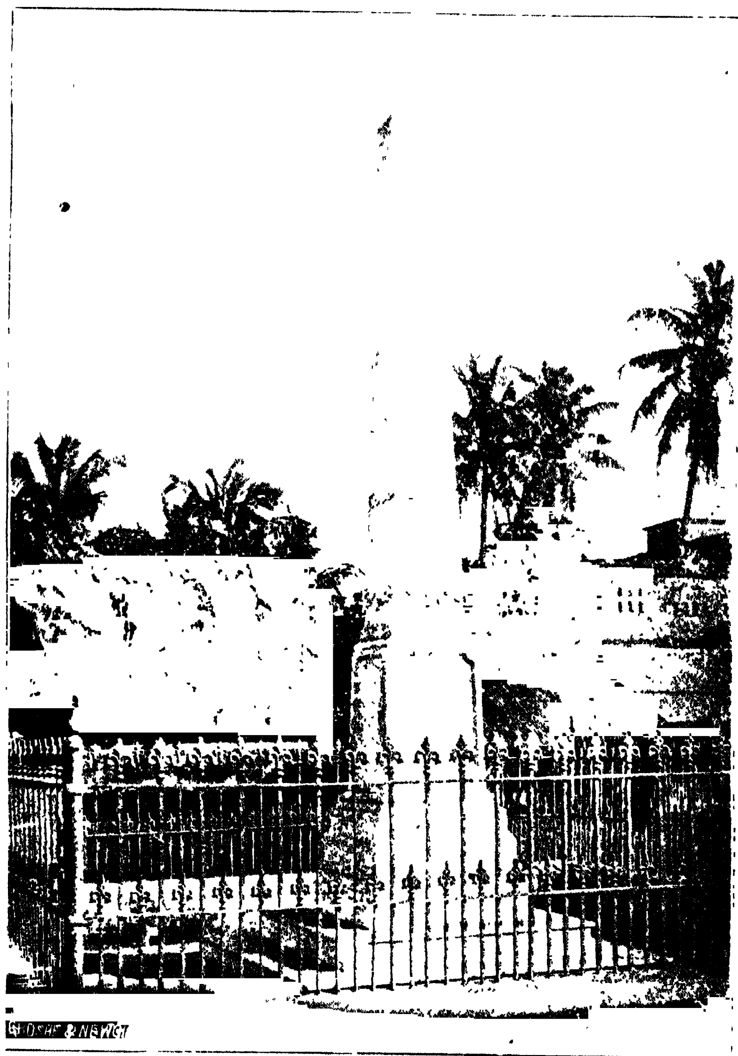
NARES CHANDRA SEN-GUPTA, M.A., B.L.

CALCUTTA:

PRINTED BY T. C. DASS, AT

THE CHERRY PRESS

DHURRUMTOLLAH STREET.



Memorial Obelisk

of

Hurrish Chunder Mookerji

at Bhowanipur (Calcutta)

Inscriptions on the memorial obelisk of Hurrish Chunder Mookerji at Bhowanipur.

SACRED TO THE MEMORY

OF

HURRISH CHUNDER MOOKERJI

Who, as Editor of *The Hindoo Patriot*,

As a guiding spirit of the British Indian Association,

And in connection with various movements of his time,

Rendered conspicuous services to the country

By his able and disinterested discussion of Public Affairs ;

Who waged war against wrong and vindicated justice

With a rare Courage, Honesty and Independence ;

Who in a critical Period of Transition

Gave counsels of wisdom to the Rulers and interpreted their Policy

Who was a Father to the Aggrieved Poor

And never denied them any personal help in his power

Who lived a life of

Self-sacrifice and heroic Devotion to Duty ;

Who was at once

A Tribune of the People and a Pillar of the Empi

This monument is erected

By his grateful countrymen with funds raised

By Public Subscription.

Born 1824
Died 1861 } at Bhowanipur, Calcutta.

স্বর্গীয় হরিশ্চন্দ্র মুখোপাধ্যায়

যিনি "হিন্দু পেট্রিয়ট" পত্রিকার সম্পাদক ও "বৃটিশ ইণ্ডিয়ান" সভার অধিনায়ক ছিলেন এবং স্বসমকালে বহুবিধ বিষয়ের আন্দোলন প্রসঙ্গে দক্ষতা সহকারে ও নিঃস্বার্থভাবে বিচার-বিতর্ক দ্বারা স্বদেশের প্রভূত কল্যাণ সাধন করিয়াছিলেন ;

যিনি অসামান্য সাহস, সত্যনিষ্ঠা ও স্বাধীনতার সহিত অন্যায় পক্ষের পরাজয়ে প্রবৃত্ত হইতেন ও ন্যায়ের পক্ষ সমর্থন করিতেন ;

যিনি বিদ্রোহসঙ্কুল সঙ্কট সময়ে রাজপুরুষগণকে সৎপরামর্শ দিয়াছিলেন ও রাজনীতির প্রকৃত অভিপ্রায় সাধারণের গোচর করিয়াছিলেন ;

যিনি উৎপীড়িত দীন দরিদ্রের পিতৃ স্বরূপ ছিলেন এবং তাহাদের সহায়তা করিতে সাধ্য পক্ষে কখনই বিমুখ হইতেন না ;

যিনি স্বীয় জীবনে স্বার্থত্যাগ ও কর্ত্তব্য পরায়ণতার উজ্জ্বল আদর্শ প্রদর্শন করিয়াছেন ;

যিনি একাধারে প্রজাবৃন্দের শরণ্য পৃষ্ঠপোষক ও বৃটিশ সাম্রাজ্যের অবলম্বনীয় স্তম্ভ স্বরূপ ছিলেন ;

সেই মহাপুরুষের স্মৃতিচিহ্ন

এই কীর্ত্তিস্তম্ভ

তদীয় চিরকৃতজ্ঞ স্বদেশবাসিগণ কর্ত্তৃক সাধারণের প্রদত্ত অর্থ দ্বারা প্রতিষ্ঠিত হইল

কলিকাতা ভবানীপুরে

সন ১২৩১ সালে তাঁহার জন্ম ও

সন ১২৬৮ সালে মৃত্যু হয়।

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Introduction

To the present generation of young men Hurrish Chunder Mookerji is little more than a name. Yet in his own day he was a power which greatly helped to mould the public life of his day and the marks of whose influence can easily be traced to this day. Of all the galaxy of brilliant men who marked the first onset of English education and English ideas into our land, Hurrish Chunder Mookerji may be counted as the one who has left an abiding impression on the public life of later days.

There are very few men now alive who can remember Babu Hurrish Chunder Mookerji in the heyday of his power and fame and posterity has not been just to the memory of that great man, whose intellectual eminence no less than his great public services demanded more adequate recognition than we have been able to give him ; for he was the first exponent and, in a very true sense, the father of the new life whose throbbings are felt to-day all through the length and breadth of the land. In any other country, a career such as his would be a cherished treasure to the historian and a bye-word to every patriotic citizen, and a monument would have been raised to his name which would be an all but eternal reminder of the great services of an individual to a nation. For no man in Europe could have done to his country the service that Hurrish Chunder did to his and remained unhonoured by a fitting memorial, though perhaps for the time being his worth and influence might have remained unappreciated. The only memorials that are raised to him are an obelisk in Bhowanipur and a street named after him, which has more than once had to brave the risk of losing its name for one briefer and perhaps more euphoneous. No trace of his dwelling house in Bhowanipur is to be found. The recollections of Hurrish Chunder must therefore necessarily centre round the scanty remains of his work in one or two volumes of the *Hindoo Patriot* that can yet be traced. In that condition it can only be accessible to the few inveterate record hunters whom obstacles will not dissuade from researches into our country's past. An attempt is therefore made in this volume to present to the country-

men of Hurrish Chunder in a more accessible shape some writings on contemporary topics from the *Hindoo Patriot* of his days.

A literary man is best remembered by his works. But though on this account we certainly attach great weight to this collection of his writings we do not flatter ourselves with the idea that this volume would be anything like a fitting memorial to the man who, more than any other single man, has been responsible for the inspiration of national life at any rate in Bengal. For, we do not rate the life and work of Hurrish Chunder Mookerji as a merely brilliant career. We can trace to him the source and the nourishment of that political life in our people whose force and importance we are only beginning to appreciate and which are no doubt big with huge possibilities in the future. For of the little band of earnest men who flourished in the early days of English education in India and helped to drag India out of the slough of ignorance and inertia into which she was fallen, Hurrish Chunder was about the foremost. And what a brilliant set of men they were! One cannot recall their careers without a refreshing sense of the life and vigour that characterised them. Men deeply imbued with western thought and culture; whose studies in the different departments of learning of the day went to depths which are out of fashion in these busy days of scrappy knowledge; men who felt the ignorance around them like a dense mist which must be cleared, men inspired with a lofty desire to raise their country from these depths and teach her to emulate the healthy and vigorous ideals of life and thought that England opened before them—these were the men who lived in the days of Hurrish Chunder Mookerji,—and amongst them there was none more brilliant, none more enthusiastic and none who has left a more abiding mark on the history of our people than Hurrish Chunder Mookerji.

Hurrish Chunder was not the first journalist to start an English weekly as is generally supposed. His immediate fore-runner was Grish Chandra Ghose who started the *Bengal Recorder* an English weekly in 1849. This was converted into the *Hindu Patriot* in 1856 when Hurrish Chunder took editorial charge of it which he kept till 1861. But never before he took charge of *Hindu Patriot* was Indo-English journalism conceived as capable of rising to the height that the *Patriot* achieved under him and never did

this class of journalism exercise such a wholesome influence upon the small educated community of the day or on the Government. He made his mark by writing some articles on the renewal of Charter which first gave a foretaste to people of the power that was coming. And when Lord Dalhousie was recklessly pursuing his policy of annexations which bred the discontent that burst out in the disastrous Mutiny, Hurrish Chunder alone amongst Indian journalists raised his voice in strong and emphatic protest. His articles on the annexation of Oude ruthlessly exposed the inequity, cruelty and impolicy of that great blunder with a courage and insight that astonished his contemporaries. It is said that Lord Dalhousie himself was greatly disturbed and annoyed by his bold and forcible writings on the occasion. Events proved that Hurrish Chunder was in the right and the Government was not only acting in defiance of equity and humanity but going straight against policy. For the discontent that was bred by the deposition of the King of Oude and the annexation of Nagpur, measures against both of which Hurrish Chunder entered a powerful protest, had a great deal more to do with increasing the difficulties of the mutiny than appears on the surface. It is not only that Nagpur and Lucknow formed two of the most difficult positions of the English during the mutiny and that the Oude Taluqdars and the Rani of Jhansi continued to trouble the British Government long after the rebels had ceased to hope, but it is not wholly improbable that if Lord Dalhousie's administration had not exasperated the people of Nagpur and Oude the Mutiny would never have happened or at any rate not attained the gigantic proportions that it did.

The true history of the inner spings of the great Indian Mutiny yet remains to be written, and perhaps the work is all but impossible. How the mutiny was planned and how the conspiracy spread all over Hindustan must perhaps for ever remain a mystery. But the motive forces behind that rising need not be equally obscure. It is to be feared however that English historians of the Mutiny have not been able to grasp the situation in all its bearings. Hurrish Chunder was a shrewd observer of men ; he was surely better able to feel the temperament of Indians of his days and can be trusted to have arrived at more accurate conclusions as to the feelings which swayed the people in making them rise against the

authority of the English Government. We will not here recount the diagnosis made by him but will refer the reader to some of the articles of the *Hindoo Patriot* of those days which we select for this volume. They are certainly worthy of anxious consideration of the historian of the Mutiny as the thoughts of a clever contemporary who had the advantage of being an Indian.

For a proper estimate of the powers of Hurrish Chunder as a publicist we should like to refer our readers to his writings in the mutiny period. To appreciate them properly we must remember that the time when they were written was a most anxious one for Englishmen in India no less than for Indians in general. For, if the trembling balance of destiny seemed to swing dubiously in the north-west and Englishmen in work as in rest passed their time in the most agonising anxiety, indiscriminate retribution seemed to dangle its cruel sword over the head of every Indian. Anglo-India were hysterical, wild stories of unspeakable outrages by sepoys got an easy currency and Europeans in India wildly shrieked for revenge with not less persistency and frequency than they raised nightly alarms of the 'Pandy' storming their strongholds. On the other hand, not the sepoys alone or rebels but many a foolish Indian living in peace was lured by the blandishments of a fanciful independence and wildly talked about the coming millenium. In such a critical time when the air was electrified with horrors and anxieties of an intensity not approached by anything else in the history of Indian journalism, Hurrish Chunder was unperturbed. Week after week the *Hindoo Patriot* published articles which for coolness of judgment and unfailing good humour might very well suggest an atmosphere of elysian calm. It now discussed the origin of the Mutiny, now assured the Government of Bengal's perfect safety, now made trenchant attacks on the stories of horror and atrocities, now rebuked the hysteric journalists and publicists for their talk about reckless retribution and now held up the volunteer corps to ridicule. Clear insight and calm deliberation never left him for one instant. He had no misgivings and no fear. He knew that the country as a whole was not with the sepoys and never had a doubt that England's arms would come out victorious in the struggle. He had no fears that Calcutta would be taken by mutineers and did not want courage

to speak out his condemnation of the mutineers. At the same time, even in those anxious days, he courageously pointed out the failings of the English, stubbornly opposed all proposals of a bloody retribution and gave the lie direct to all the stories of atrocities that were freely vended by the gossips of the day. To champion the cause of his countrymen in those days when every other man amongst Indian was suspected to be a rebel was courageous indeed and his courage was backed up by a true insight into the nature of the situation which few journalists could boast of at the time. Happily for India Lord Canning was at the head of the Government at the time and he never swerved from his much abused 'clemency' policy. And when the Mutiny was quelled, Hurrish Chunder's diagnosis of the situation proved the true one. The courage and statesmanship that he displayed on this occasion, the comprehensive knowledge and fearless enthusiasm for the right that characterise his writings of this period at once mark him out as a man far above the ordinary run—a man who in other circumstances might have made his mark in far higher spheres.

Hurrish Chunder was in charge of the *Hindoo Patriot* from 1856 to 1860—a very short career for a journalist ; but a large number of events of the first importance was crowded into this brief space of time. The renewal of the Charter, the Revenue Sale Law, the Annexation of Oude, the Mutinies, the Transfer of the government to the Crown, the Black Acts, the Indigo disturbances, the foundation of Universities, the Widow-Remarriage Act, are each one of them events of no mean importance in the history of India. The Revenue Sale Law Bill which was passed into law in 1859 caused a flutter amongst Zemindars from whom came most of the prominent public men of the day. Hurrish Chunder Mookerji led a vigorous campaign of these gentlemen against the measure and gave rise to a very interesting controversy. To a man who studies the controversy at this day Hurrish Chunder Mookerji may appear to be defending an unrighteous cause in supporting the Zemindars against the ryot, knowing full well how prone the Zemindars of those days were to oppress their tenants. But Hurrish Chunder was no less a friend of the ryot than that of the Zemindar. His anxious solicitude to protect the interests of *Khudkhast* and *kudimee* ryots whose title was most insecure in those days, finds expression in

many of his articles. He was fully aware of Zemindary oppressions but trusted to education and improved administration of justice to cure them. He opposed the Sale Law Bill on principle, for it was undoubtedly meant to break in upon the status given to landlords by the Permanent Settlement. But we must go behind all this to find the supreme justification for this attitude of Hurrish Chunder. In this act Hurrish Chunder discerned not an anxiety to protect the interests of the common ryot but a desire to strengthen the footing of the European Planter in India. This aspect of affairs changes the whole face of the question. The oppression of the ryot in this case became assured in any case—he had to choose between the Planter and the Zemindar as the tyrant. And knowing what he did of the Planters of those days, Hurrish Chunder was certainly quite justified in entering a strong protest against the Bill, from pure consideration of the country's good and not at the bidding of his employers the British Indian Association.

The Black Act agitation best displays one phase of the writings of Hurrish Chunder Mookerji, that is their polemical aspect. Into this controversy Hurrish Chunder brought an amount of knowledge and insight which few of his other contemporaries had. With this and with the wonderful command he had over the English tongue he was able to meet his opponents in the Anglo-Indian Press on, if anything, equal terms and in his polemical writings as in others we find an abounding sense of humour which adds poignancy to a controversy. It is most remarkable however that in this hot controversy when the worst blood was roused on both sides and filthy things by way of speech and writing were certainly not wanting, the *Hindoo Patriot* never for once descended to vulgarity.

But Hurrish Chunder Mookerji's name is certainly most intimately connected with the Indigo disturbances. The persistent and ruthless exposure of oppressions practised by Indigo planters in Bengal in the columns of the *Hindoo Patriot* has a most profound influence upon the destinies of the poor ryot in Bengal. It was about 1859 that the matter came to a head. The agitation had assumed great proportions and was emphasised by some very serious disturbances amongst the tenants of some of the factories. The Government was thus roused to the urgency of the situa-

tion and Sir John Peter Grant who was now the Lieutenant-Governor adopted measures which ended in a slow dying out of the Indigo oppressions in Bengal. In this he had the unstinted support of Hurrish Chunder Mookerji who never ceased to write his fiery articles on the subject to the day of his death.

It is very much to be regretted that at the present day materials for commemoration of Hurrish Chunder Mookerji's works are very scanty. The accounts of his early life are scanty, no portrait of this great man is available and only two volumes of the *Hindoo Patriot* of his days are all that we have been able to hunt out. The present volume comprises articles selected from these two volumes. Many of his articles which created a great stir in his days are necessarily absent from this compilation. Besides this, there is no means now left to distinguish articles written by Hurrish Chunder Mookerji from those contributed to the *Hindoo Patriot* by other men of his day. When we remember that all the most distinguished men of his day, Ram Gopal Ghose, Kisori Chand Mitra, Rajendra Lal Mitra, Dwarka Nath Mitter, Jaykissen Mookerji, Grish Chunder Ghose and many others were in the habit of contributing articles to the *Patriot*, we can properly appreciate the difficulties of making the selection.

In making this selection, internal evidence has been our sole guide and pre-eminently we have relied upon style. It is impossible to assure our readers that all the articles brought together in this volume are from the pen of Hurrish Chunder. But there is no doubt that most of them are, if one may judge from style. There is also the fact that although there were many other contributions most of the writings were from the pen of Hurrish Chunder. But whether we have been able to trace the precise works of Hurrish Chunder or not, in any case this volume may with confidence be presented as a memorial of that great journalist. For the *Hindoo Patriot* of those days was inspired with the genius of Hurrish Chunder in all its parts and to remember the *Hindoo Patriot* of the fifties is to remember Hurrish Chunder Mookerji.

We venture to think that this compilation will serve other purposes than a mere memorial, for the articles here collected constitute a brilliant contemporary account of a brief, but a most important chapter of British Indian history. Any one interested in

the development of the constitutional history of British India or in the growth of a national consciousness amongst our people will no doubt find ample light in the writings embodied in this volume. He will find contemporary events and sentiments presented in these pages by a brilliant writer whose work is everywhere characterised by vigour and freshness, true insight and unbending independence, a generous breadth of vision and a remarkable foresight. The style of Hurrish Chunder's writings is a healthy and manly English which is fast growing out of fashion and is flavoured all over with a genial good humour which marks out the writings of Hurrish Chunder from those of his contemporaries. The reader will find in these writings that the man whom these pages seek to commemorate was of a manly and vigorous type which was brought into being in the early days of British Rule, and which, we shall be happy to know has not yet quite died out.

In connection with the present compilation I have great pleasure in acknowledging the great assistance I have derived from the never failing kindness of Raja Pyari Mohan Mookerji C.S.I., under whose directions mainly the compilation has been made. I may add that before I was called upon by the Hurrish Mookerji Memorial Committee to complete this work Raja Pyari Mohan Mookerji had actually collected together a large body of the writings of Hurrish Chunder for the purposes of this compilation. These I have incorporated in this volume with additions from the *Hindu Patriot* of 1858 and he has always come forward to help me and to give me guidance whenever I sought for it.

CALCUTTA :
The 1st January, 1910

Nares C. Sen-Gupta

HURRISH MOOKERJI'S WRITINGS

THE MUTINY

I. HOW ANNEXATION WAS WORKED

It does not require any strong exercise of the intellect to discover that promises of future reformation do not expiate past sins. Repentance is not always the means of salvation. It argues want of sincerity when one having it in his power to make amends for past errors, neglects to do so, simply professing to refrain from committing the like errors in future. This truth is applicable to Governments as to individuals. When the former discover their errors, it is not the needful for them to hasten to their reparation. Such actions, in spite of a set of politicians and moralists who repudiate all obligations resting on the past, are by no means the signs of weakness nor do they deteriorate the position of the Government that perform them. Apart from the principles of morality which ought to guide the dealings of individual men as of corporate bodies, and without which society can not endure, motives of state policy recommend this course.

The policy of annexation, lately so much in favour with the Government of India, and carried out with such a high hand in spite of the most solemn treaties, has been condemned by men possessing extensive powers of observation. It is a curious circumstance connected with the history of annexation that, while the opinions of men on many things have undergone alterations with the changes of time and circumstances, opinion on the propriety or the impropriety of the policy of annexation has remained unaltered. From the time of Burke down to the present day, all men of distinguished talents have with one voice, as it were, cried down this policy. One of the arguments urged by its advocates is what the advocates of war often urge, namely, that every nation has a right to the extension of its dominions. This sort of argument carried

conviction in the days of the pastoral kings when the dominion of might was submitted to. If weakness be a disqualification for a Government, it is impossible to discover to whom the Government of the world is justly due. There is no Government in the world, however strong, than which a stronger one cannot be found, or if not already existing who can predict that it may not rise to-morrow ?

The impropriety of the system of annexation carried on in India was repeatedly urged upon the attention of the Government, but the warnings were treated with indifference, and every act of fresh spoliation brought on the spoilers heaps of encomiums and rewards. The authorites, however, after all, have opened their eyes. They have discovered, what every one else knew before, that their policy was mistaken and their conduct reprehensible. That the practice of depriving neighbours of their possessions, however weak those neighbours might be, is in itself utterly discordant with sound policy has at length struck them. That the breach of the most solemn treaties entered into with the native princes and their heirs and successors is prejudicial to their prestige in India has at length become prominent to their eyes. They have renounced such conduct for the future. They have publicly proclaimed that it would be their study not to tread upon ground to which they have no right. This proclamation is a proof that they are awake to the impropriety of their late conduct. But so low has the credit of Government sunk by repeated breaches of faith, that considerable difficulty would be experienced in finding for the proclamation a ready credence from the parties to whom it has been addressed, unless some practical proofs be exhibited of its sincerity. There is no sufficient guarantee that when convenience would tempt it, the most solemn assurances in the proclamation would not be violated. When definite treaties with individual princes and chiefs, ratified and exchanged with all forms of solemnity customary on such occasions were violated with little ceremony and without any scruple, who can guarantee that such an expression of intention as the late proclamation, coming though from the august lips of sovereign, would not be set aside when it can be conveniently effected by the sovereign's trusted servants ?

The British Government of India can not better re-establish its credit in the world than by restoring some of their latest acquisitions

to the native princes from whom they were wrested. It would be impossible to restore all that have been so taken. The lapse of time and the course of events have so far mingled the annexed states with British territory and destroyed the vestiges of their independence, that the most sedulous enquiries would not be able to distinguish which to return, or to discover to whom to return. The wronged families have in many cases become extinct, or are so widely diffused that neither the Dya Vagh nor the Koran can discover the rightful heir. But the same arguments cannot be urged as regards some of the latest annexations or such of them as have been effected during the late administration. If there existed the least shadow of justification with regard to those effected previous to that period, none whatever can be found to support some of those perpetrated by Lord Dalhousie. These involve not merely the violation of the most solemn promises, but also the wanton disregard of the most sacred rights cherished through ages and which no civilized monarch would attempt to deprive. Any conduct on the part of those who suffered most from those annexations, however hostile to the Government, is justifiable, and as such cannot fail of enlisting in their favor the sympathy of the civilized world. It is not rare that such sympathies are extended towards injured monarchs and families. But the forbearance of the Indian Princes and the chiefs whom Lord Dalhousie gave such ample cause of offence is unsurpassable, and perhaps it is to the forbearance on their part that the indifference of the British nation is due.

It is essential to the success of their true mission in the East which is yet to begin ; it is essential to their character as an enlightened nation ; it is essential to their position as one of the first rate dominant powers in the known world ; and it is essential to their faith as the followers of the Bible, that no time should be lost in restoring to their thrones such of the native princes as can still establish a clear and undivided right to such restoration. A fitter opportunity for the amendment of past errors may not occur again. Let the British nation advance its claims to the admiration of the world by setting an example of generosity which will be all the deeper because it is so very rare. To restore what has been unjustly taken is no sign of weakness, but of true nobleness, which does not consist in elevated position but in elevated sentiment.

It is not necessary to the complete performance of this act of justice that the sovereign rights of the Queen should be abrogated in the territories the Government of which may be restored to the families from whom they may have been wrested. The Queen may still reign the lord paramount in the continent of India. No native prince will be backward to acknowledge fealty to her. But the power they have lost, the position from which they have been displaced, are still sought for by them with unabated eagerness.

II. ANNEXATION OF NAGPORE (I)

Among the series of annexations which gave eclat to Lord Dalhousie's administration, there is none which, in the intensity of faithlessness, violence and utter ignorement of all claims of justice, approaches the spoliation of the Nagpore territory and the absorption of the private property of the royal family. The annexation of Oude has not a shadow of principle in it for vindication, but no theory of the higher morality cancelling the lower, which was urged in the instance of Oude, could hold good, in the case of Nagpore. The subsequent administration of the territory and treatment of the royal family, however, has not mitigated the criminality of the original act of absorption. Placed under the control of a Commissioner who abhorred his task, it next passed into the hands of one, whose easy habits of life, aversion to action, absence of attention or sympathy, habitual coldness, disrespect, and unpleasant high airs, were subjects of remarks even among his subordinates, far more among the people. The royal family of Nagpore dragged a life of misery, grief and disappointment, which is said by all accounts received, to have fired the breast of the most cold hearted Marhatta into bursts of indignation and sorrow. But Banka Baie, the last regent of Nagpore, one of the most remarkable women, as the Indian *Statesman* justly observes, in Indian history, had an inextinguishable faith in British sense of justice, and, with that patience which is the peculiar virtue of Orientals, looked forward to the time when in its fulness the fulfilment of that promise which she had received on the authority of Mr. Plowden's immediate subordinates would take place. That promise did not cover the restoration of the

territory, which would be unreasonable, or the restoration of the jewels to the Ranees, which with characteristic dignity they did not desire. It was simply the grant of a title and an adequate stipend by Government to their adopted heir whose right to the throne neither the laws of the land nor the laws of the family could impugn or invalidate. In the meanwhile, the great storm of the Sepoy Mutiny broke out. It would be idle to say that the Maharatta mind, which requires but a single spark in ordinary quiet times to put in flame, would see this tremendous fire blaze without catching it. The interests which might eventually have fallen into danger, have been justly estimated by the *Statesman*. "The rebellion would have (our contemporary remarks) swept far and wide, enveloping Poonah, Sattarah, Belgaum, Ratapore, Kurnool and Cuddapah. The Deccan and the Carnatic would have been carried off by the general contagion. Possibly thus, one event might have decided the fate of the British Empire in India before re-inforcements could have arrived from England." But the steadiness, faith, loyalty, resolution and influence of Banka Baie and other members of the royal family arrested that impending and overwhelming danger.

The Empire has rallied, but the great mind which effected in this manner the salvation of India has passed away in course of God's good providence. But before her death, we are assured, Banka Baie made her last appeal to Mr. Plowden. "She sent for the Commissioner, placed the hands of her adopted son in his, recommended the lad most solemnly to the protection of Government stating that she died in a firm trust in the justice and generosity of the British Government." Has the British Government redeemed this trust expressed so nobly and so affectingly? Has it ackowledged in due measure the services of Banka Baie and the Nagpore royal family? We pointed out in our last issue how annexation was worked, and how effect ought to be given to the noble proclamation of the Queen in re-establishing her relations with the Native Princes, and those who have been escheated of their possessions. The case of Nagpore affords a fitting opportunity for the inauguration of a wise, generous, and dignified policy, and we earnestly hope the attention of the Viceroy may be soon directed to it. The foundation of such a policy has been laid by the removal of the late Commissioner, and we patiently wait to see how the edifice is upreared.

It is not necessary to the complete performance of this act of justice that the sovereign rights of the Queen should be abrogated in the territories the Government of which may be restored to the families from whom they may have been wrested. The Queen may still reign the lord paramount in the continent of India. No native prince will be backward to acknowledge fealty to her. But the power they have lost, the position from which they have been displaced, are still sought for by them with unabated eagerness.

II. ANNEXATION OF NAGPORE (I)

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III. NAGPORE (II)

If the systematic spoliation of the native princes of India was one of the great predisposing causes of the rebellion, it is a matter for serious consideration whether it would not be alike just and politic to adopt such systematic measures of restitution and compensation to the injured families as may be carried out without compromising the prestige of the paramount government. That some compensation is due the most reckless defenders of annexations have not the hardihood to deny. That this is precisely the period when compensation may be accorded with the greatest advantage and most grace is apparent from the expectant attitude of the public. Titles and most substantial favors have been liberally distributed amongst those chiefs and leaders of the people who rendered important services to the state during its recent troubles. But such grants, however politic and just, can never have the effect which a few conspicuous acts of generosity shown to those fallen princes at this time might exercise over the minds of the Indian population. An able letter in the *Daily News* states, from the observation of the writer, that the Royal Proclamation has failed of effect in Central India because no conspicuous act of justice has followed the enunciation of a just policy.

Among the victims of Lord Dalhousie's policy, the Bhonsla family of Nagpore possess not the fewest claims to the sympathy of the Indian public. Next to Sattarah, Nagpore was the best governed of the annexed states. The family have always been extremely popular in the province which they once governed. Their history occupies an important place in the annals of India. There was a time when a Bhonsla stood the most powerful amongst the contenders for mastery in Central India. It was a Bhonsla who fought the battles of Assaye and Argaon. The dignity of the house was always kept up by the revenues they derived, and the substantial wealth accumulated in generations. Altogether they occupied a most conspicuous place in the eyes of India. And when Lord Dalhousie decreed their fall the act was viewed with an amount of indignation not surpassed by that evoked by the annexation of Oude.

There is one feature of great interest in the Nagpore case which

is wanting in the other cases of similar justice. A large measure of restitution may be accorded to the Nagpore family without shearing the British Government of any portion of its power or dignity. The annexation of Nagpore is a recent event. Most of the vestiges of the suppressed rule yet exist. No sweeping settlement has destroyed all the ancient landmarks of society. The Berar population still entertain the idea of a possible return to power of the dynasty that formerly ruled them. The present representatives of that dynasty would submit to any condition of imperial vassalage to regain the seat from which they have been ejected. The Bhonslahs, as vassals had never proved indocile. We repeat that if the Government of any annexed state could be re-committed to the hands of its displaced chiefs it is that of Nagpore.

The question was lately discussed whether a scheme could not be devised to establish the paramountcy of the British power in India upon a clearer and better recognized footing by converting the anomalous relations now subsisting between that power and many of the native states into such as prevail between an admitted suzerain and his liege vassals. Not an argument has appeared against the proposal. We submit that the case of Nagpore presents the most eligible subject for the experiment. If the Bhonslah and his council were invested with powers now exercised by the Commissioner, the ostensible domination of the British government upon the province of Nagpore would not be in the slightest measure diminished while its real hold will be actually strengthened. Even the power of legislation which the Commissioner exercises may be taken away from the restored dynasty. A representative of the Nagpore Government may sit in the Legislature for all India with the representatives of the other provincial governments to assist in its deliberations. Nagpore would then be as much an integral part of British India as Behar or Orissa.

It would be superfluous to say that such an administration would be far more popular than any Commissioner, however wise and just can make his. The question of popularity derives additional interest from the personal character of the present claimant to the Nagpore gudee, and the incidents of his birth and adoption. Janojee Bhonsla is a direct lineal descendant of Raghoojee the

Second who faught with Wellesley, and the grand nephew of the late Rajah of Berar. The widow of Raghoojee who was living when the Rajah died, and had the mortification to find the state whose glories were in her memory merge into a non-regulation district of British India. She adopted Janojee with every ceremony enjoined by the law, and so long after as she lived (she died only in September last) she incessantly urged the claims of the adopted prince upon the British authorities. On her death-bed she sent for Mr. Plowden, and placed the young prince's hands in those of the Commissioner commending him to his protection. We do not know whether Mr. Plowden has done anything in discharge of the trust so touchingly vested in him. We doubt even whether he has represented to Government the signal services of Banka Bayee all through the troublous period in 1857 when a nod from her would have involved Nagpore in the flame of rebellion and thence a large portion of Central India that has remained tranquil. It was through her exertions that the inflammable materials so abundant in the capital of Berar were kept under and prevented from igniting. If any services deserve recognition those of Banka Bayee do. Now that her spirit has passed away she can not receive a reward in person. But all India will view with pleasure and accept with gratitude the restoration of the titular honors and some of the powers of a Bhonslah Rajah to the representative she selected.

IV. THE MUTINIES*

Months before a single cartridge was greased with beef-swet or hogslard, we endeavoured to draw public attention to the unsatisfactory state of feeling in the Sepoy army. We are now in the midst of an epidemic mutiny. The spirit of disaffection has worked its way into the heads of the Sepoys until not a regiment in the service can be trusted. At the present stage of its progress, any conjectures concerning the turn affairs are likely to take can no longer be deemed premature and mischievous. The worst or nearly the worst has come out, and there is no want of distinctness or prominence in the symptoms which have already appeared to warn us against the existence of a powder mine in the ranks of the

* *Hindu Patriot*, April 2, 1857.

native soldiery that wants but the slightest spark to set in motion gigantic elements of destruction.

The facility with which the murderers in the 40th N. I. at Dinapore were screened by the whole regiment was a significant prelude to the more open manifestation of the spirit of insubordination among the sepoys that occurred at Barrackpore. The regiments cantoned at the latter station by previous concert refused point-blank to have anything to do with the new cartridges supplied from the ordnance stores. The impression prevailed that an objectionable ingredient was used in the preparation of these cartridges. Factious men contrived to render this impression subservient to a mischievous end. The sepoys were successfully worked upon and Barrackpore had well nigh become the scene of a general mutiny. The timely and spirited interference of the General commanding the division served to dispel the cloud that had gathered, and a luminous and telling address to the troops for a time undid the evil that had been slowly and silently making head. The sepoys ceased to hold nocturnal meetings, pass votes of censure on their officers, set fire to bungalows and perpetrate other acts of crime. The disease seemed to have disappeared, when its symptoms broke out afresh, and in their indications showed that it was neither the fat of oxen nor the dread of proselytism, but a deep-rooted cause of estrangement that led to these mutinous outbreaks. A dangerous shock to the discipline and soldierly feelings of the entire army was imparted by the events and the 19th N. I. caught the infection in all its virulence. They committed themselves even more hopelessly than the troops at Barrackpore, and a signal punishment has marked the displeasure of the Government. The blind obedience to command, which forms the basis of military discipline, seems universally to have given place to an obstinate and rancorous spirit of debate. Mutiny must be the natural result of the working of such a spirit.

The Indian army has a discipline peculiarly its own. It has been kept together as much by the usual modes of military organization as by the peculiar composition of its elements and the absence of those exciting causes of military violence which exist abundantly in armies where alcohol is set up as a god and worshipped. The men who constitute the armed strength of the British Indian Empire are sprung from a race endowed with a

traditional repute for chivalry. It is not here as in European countries that the very dregs of the population only are enlisted into the ranks. The strictest rules on the contrary are enforced for preventing the admission of recruits from inferior orders of caste. To the *chamar* or the *dome* the rolls of the army as those of genteel society are never accessible. The Sepoys are therefore more amenable to the moral influence of their commanders than any other body of soldiers in the world. Nothing short of grievous oppression or the most flagrant disrespect of substantial prejudices can drive the native soldiery to conduct foreign to their obligations and their duty. Without the utmost provocations to insubordination, the sepoy scarcely ever raises his hand against his superior. It is not in his constitution to do so. The precepts of his religion forbid his perpetrating such a deed. Soldiering is a respectable profession, and to forfeit one's footing in it is a misfortune visited by the condemnation of society. The censure of his relatives and friends awaits a wanton infringement by him of the respect due to his officer. Every circumstance—moral, social and religious—helps to maintain the harmony for which the native regiments in India are pre-eminent. When nearly a century ago the European troops of the Company refused to do their duty, and headed by a seditious Corporal turned their backs upon an expedition, the failure of which would have involved the British power in utter ruin—the Sepoy Corps bravely and zealously supplied the places of their European comrades and would have readily chastised their traitorous behaviour if a lenient policy had not been adopted by the Council at Calcutta. The remembrance of such noble and heroic conduct on the part of the native troops does not give any ground to suppose that the present excited state of the Sepoy mind is the result of a spontaneous evolution of seditious sentiments. What then has loosened the ties that hitherto held them in cordial military union with their European leaders? The answer is easy to give. Those whose province it is to look to their interest and give heed to their complaints are singularly neglectful of their high and important trust. The practice of removing every experienced or promising officer to the civil department of Government, in manifest violation of good policy, has denuded the native regiments of their best officers. Those available for regimental

duty are either unfit or unwilling to exercise that vigilant and zealous supervision over the men under their control without which the finest body of soldiers must degenerate into a loose and imbmcile rabble. The *spirit de corps* which is at once the soul and the glory of veteran regiments must descend to the men from the officers who head them. But the *spirit de corps* of the officers of the Bengal native infantry is a perpetual hankering after staff employ! Need we wonder then that the discontent of the officers should be caught up by reflection with which the entire native army seems to be tainted? Where open mutiny has occurred, rigorous measures for the punishment of the mutineers have followed. But the aspect of affairs is by no means encouraging, and the wisdom of the Government will be wasted in devising prompt and efficient measures for arresting the progress of the evil whilst yet the disease may be cut out. If it should ascend to the vitals, fusillades and cannonades will hardly succeed in re-establishing order in the ranks and restoring the army to its lost position.

V. THE MUTINIES*

The disbandment of the 19th N. I. has produced no effect on the sepoy army, or if it has had any effect, it is to widen the estrangement previously existing between the troops before whom the penal example was set and their employers. The 34th N. I. is described to be in a state of only not open mutiny, and so great is the distrust felt in its loyalty and good faith that its men have been withdrawn from the more responsible guards and its prisoners are guarded by parties told off from the other regiments of the birgade. These latter regiments, no doubt, sympathise to no small extent with their brethren of the marked corps, and the anxiety of Government as well as the country remains unabated. How long this state of things will continue, how it can be brought to a termination, and how it will terminate, are questions to which no answer can be found. The immediate attention of the military authorities of the country ought undoubtedly to be devoted to

* *The Hindu Patriot, April* 9, 1857.

measures for the extrication of the State out of the present difficulties, but this also is the time for taking into consideration how future difficulties of similar kind are to be prevented from arising. Mutinies are not rare occurrences in the Indian armies. Unfortunately they have become more frequent of late than in the earlier periods of British Indian history. If any indication in the circumstances of the times be clear or definite it is that the whole system of our military organization should be recast. That indication should no longer be disregarded. Enough unto the day are the evils thereof has been the conviction which has dictated the policy of our military authorities in times of such trouble. Regiments mutiny; they are coaxed into obedience, or, if that be found impracticable, they are disbanded. The public during the pendency of the evil is clamorous for military reform. But no sooner does the evil subside from view than the necessity for remedial measure slips out of the mind, and the army is again left to demoralize itself until another manifestation of the progress of the evil puts all in a temporary frenzy of ill-concealed terror and vexation.

It is evident this time that no measures of palliation or of temporary effect will suffice to bring back to or maintain the sepoy army in the state of habitual and perfect obedience to its employers in which it should be. All the cartridges in the stores of Bengal may be burned before the eyes of the men, yet they will not cease to murmur. The disaffection is too deep-rooted to be removed by such means. The officers have been disbelieved, their assurances have been set aside as of no value, their word of honor has been contemned, their persons have been despised. Such feelings have not been engendered in a day and they can not be cured in a day. It is admitted on all hands that a permanent change has come on in the relations of the men to their officers and in the spirit of the army. Still, articles of war or increased or diminished severity in their application or the grant of fresh privileges and rewards will not re-establish the sepoy army in the position of undoubted loyalty from which it conquered India for Great Britain.

VI. THE COUNTRY AND THE GOVERNMENT *

That England's dominion over India is upheld by the sword is an essential article of the political creed of many, if not a majority of, British politicians. That it shall have no other support than the sword is, unfortunately, the result, if not the object, of the labours of a no small section of British politicians. How slight is the hold the British government has acquired upon the affection of its Indian subjects has been made painfully evident by the events of the last few weeks. The native mercenaries who constitute the chief portion of the physical strength of the Government, have, for sometime, been in mutiny, open or concealed. It is no longer mutiny, but a rebellion. Perhaps, it will be said that all mutinies, when they attain a certain measure of success, rise to the dignity of a rebellion. But the recent mutinies of the Bengal army have one peculiar feature—they have from the beginning drawn the sympathy of the country. The sepoy who, in accepting service under the British Government, neither relinquished the rights of citizenship nor abnegated national feelings have been led to believe their national religion in danger. They have rebelled against the authority which they have sworn to obey, and the forsworn men are deemed by their countrymen justified in sacrificing a minor obligation to a paramount one. They have hazarded all their most valuable interests ; and their countrymen view them as martyrs to a holy cause and a great national cause. The mutineers have been joined and aided by the civil population. They have hastened towards the ancient capital of the country where resides the remnant of the former dynasty to which are turned in times of political commotion the eyes of all Indian legitimists. Had there been the slightest ground for apprehending the injury which the sepoys already imagined to have received at the hands of the Government, we could have laid the whole blame of the present troubled state of affairs on Government. But the ingenuity of malice will, it is hardly necessary to say, fail in finding such ground. It is a gigantic delusion that the country is labouring under. The first duty of Government then is to endeavour to remove this delusion. The first attempt

* *Hindu Patriot*, May 21, 1857.

towards the attainment of this object has been made by the issue of the following proclamation by the Governor-General:

Proclamation:—The Governor-General of India in Council has warned the army of Bengal that the tales by which the men of certain Regiments have been led to suspect that offence to their religion or injury to their caste is meditated by the Government of India are malicious falsehoods.

The Governor-General in Council has learnt that the suspicion continues to be propagated by designing and evil-minded men, not only in the army, but amongst other classes of the people.

He knows that endeavours are made to persuade Hindus and Musalmans, soldiers and civil subjects, that their religion is threatened secretly, as well as openly, by the acts of the Government, and that the Government is seeking in various ways to entrap them into a loss of caste for purposes of its own.

Some have been already deceived and led astray by those tales.

Once more then the Governor-General in Council warns all classes against the deceptions that are practised on them.

The Government of India has invariably treated the religious feelings of all its subjects with careful respect.

The Governor-General in Council has declared that it will never cease to do so. He now repeats that declaration, and he emphatically proclaims that the Government of India entertains no desire to interfere with their religion or caste, and that nothing has been, or will be done by the Government, to affect the free exercise of the observances of religion or caste by any class of the people.

The Government of India have never deceived its subjects; therefore, the Governor-General in Council now calls upon men to refuse their belief to seditious lies.

This notice is addressed to those who hitherto, by habitual loyalty and orderly conduct, have shown their attachment to the Government, and a well founded faith in its protection and justice.

The Governor-General in Council enjoins all such persons to pause before they listen to false guides and traitors who would lead them into danger and disgrace.

By order of the Governor-General in Council,

CECIL BEADON,

Secy. to the Government of India.

There may be those who will construe this declaration of the Government of India into an act of concession,—a confession of weakness. With such critics and politicians we have no common ground of thought or sympathy, they mark not the demeanour of the Indian people at the present crisis. If our testimony on such a fact is worth anything, let the Anglo-Indian public have the benefit of it. There is not a single native of India who does not feel the full weight of the grievances imposed upon him by the very existence of the British rule in India—grievances inseparable from subjection to a foreign rule. There is not one among the educated classes who does not feel his prospects circumscribed and his ambition restricted by the supremacy of that power. At the present moment, the conviction is ineradicably strong in the mind of every native—save the small circle in Bengal of those who have been indoctrinated into the mysteries of European civilization—that the British Government is actuated by a fixed purpose of destroying the religion of the native races and of converting them to Christianity. Women and children talk of it. The delusion may seem strange to our readers, but it prevails nevertheless. Delusions as strange prevail among Europeans respecting the character and motives of Asiatic communities. Yet the grievances felt and the delusion believed in have not neutralized in the mass of the Indian population the feeling of loyalty which the substantial benefits of the British rule has engendered. We believe the prevailing feeling is that any great disaster befalling the British rule would be a disastrous check to national prosperity. We do not deny that a pettish desire to see the high-handed proceedings of its officials rebuked and the insolence, as it is thought, of the Anglo-Indian community checked to some degree countervails the more sober deduction. But, on the whole, the country is sound. The sympathy which the mutineers have found from the people extends no further than to a wish to see the British Government humiliated to a certain extent. The Zemindars of the Meerut District have given shelter to the Europeans who were driven from Delhi by the violence of the Mutineers and undertaken the security of the Dawk. The feeling which prompted that act was one of genuine loyalty. A people feeling thus and acting thus are undoubtedly entitled to humane if not generous consideration.

It is not the time for dwelling upon the efficient causes of the outbreak which now occupies so large a share of public attention. Ere long, however, we trust, all causes of anxiety will have been removed. Meanwhile, we hold of no small value, every frank declaration which the Government may, at the present time, be impelled to make of the nature of that now promulgated. The Government of British India can afford to lay open its inmost thoughts on occasions of such peril. It rules over a people who have found the first element of civil order under its auspices. It has for its allies and neighbours and dependants princes who in times of trouble have not hesitated to put forth all their strength in support of its power. It has a strength in the strength of its civilization, in the loftiness of its purposes, in its very loneliness in this vast continent which will carry it through many such dangers as that which are now threatening it.

VII. THE CAUSES OF THE MUTINY*

The paper entitled "A few words relative to the late Mutiny of the Bengal Army and the Rebellion in the Bengal Presidency," by Subadar Hadayut Ali of Captain Rattray's corps, has not been unjustly treated by the English Press as an important contribution to the history of the great revolution in India now in course of subsidence. It contains the thoughts of a shrewd man, and that man a military officer familiar with the views and character of the army which has been the chief agent in the events around us. It is valuable, moreover, as a testimony borne by a native who sees things from a different standpoint from that occupied by the greater number of witnesses of the matter, but whose judgment, corrected by intercourse with enlightened Europeans, is not warped by that inveterate and rabid prejudice against every thing European so uniformly to be found in natives of upper India. The opinions given are marked by intelligence; and though a sense of what is due to his masters has given the writer's language a tendency to soften and palliate their faults, there is considerable frankness in the statement.

The writer traces the causes of the disaffection in the Indian

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* *Hindu Patriot*, June, 1858.

army to the Afghan expedition which carried the Sepoy against their wishes to a *mlecha* land, a land where every act of daily life had to be performed under circumstances adverse to the maintenance of Pooranic rules. The Hindu Sepoys considered their religion in danger and grumbled. The hardships of the campaign added to the discontent. On their return they found the persecution awaiting them for their unorthodox travels. They were taunted with having become Mahomedan. The Mahomedans Sepoys had also their peculiar causes of disaffection. They had no heart in a war with their fellow-religionists and some of them, as the Subadar says, boasted that they had evaded the order of their English masters by never taking aim when they fired against the Afghans. This feeling of discontent spread until the Bengal army believed itself to be very ill used, and a general aversion to serve in distant provinces had been generated. This aversion could be counteracted by the grant of increased pay. This last inducement was taken off on the occasion of a relief in Scinde and subsequently in the Punjab. To the feeling of being ill-used was thus added suspicions of a breach of faith. Some native regiments mutinied on the occasions mentioned. Some of the mutineers were punished, but matters were eventually hushed up by the anxiety of the officers to save their reputations. The reader will find in this part of the narrative a sufficient explanation of the causes which incited the Sepoys so universally to mutiny. They feared for their caste and they feared for their pay. They found mutiny was not treated by their officers as the serious offence it is described in the " Articles of War."

The writer next adverts to the annexation of Oude. The effects which that measure had upon the minds of the native soldiery was most deplorable. The province of Oude was the chief recruiting ground of the Bengal army. A large number of native soldiers were subjects of the king. The subadar might also have said that the native rule was popular. When the annexation was first talked about, the sepoys received the report with incredulity. When the matter assumed a more serious form they made overtures to the king's Government, promising to stand by his side in the event of collision. The king's Government, however, had a just appreciation of the power of the British and declined the profferred aid. Orders were given to the Oude officials to make over their

charge peaceably to the British. Every thing passed off quietly. But the annexation gave a mortal blow to the native confidence in the British faith. Those who could treat an ally like the King of Oude in the manner that Lord Dalhousie treated Wajid Ali Shah were deemed capable of any act of perfidy. Those who could break a treaty were considered capable of breaking through the terms of a proclamation or a law made by themselves. Those who disregarded the friendship of a century would certainly not be deterred by a regard for the feelings of servants from carrying out any measure oppressive to them. Thus reasoned the Seopys. And the chiefs and the people reasoned likewise. The annexation of Oude prepared the country for revolt.

The greased cartridges came next. The unfortunate blunder ignited the mass of combustibles which the more serious crime had collected. It is strange that there should have been any military department in India so ignorant of the feelings of the native army as to belive that a composition like the greased cartridges would be received for use by the native soldiery. But the thing might have passed off at any other season without doing much harm, had the suspicions of the Sepoys not been provoked by previous acts. That reliance upon British faith and honour which alone could make the protestations of the Government acceptable had been shaken. The Government was positively disbelieved. The course of legislation latterly adopted by the British Government in respect to social matters also brought the native civilization violently in collison with the civilization of their rulers. The Sepoys revolted, as a matter of necessary consequence.

The Subadar's account of the causes of the mutiny is sufficiently clear and full in itself. But, a soldier, born and bred as it were in the camp, he naturally overlooks one cause of the extension of the mutiny into a general rebellion. The tampering with landed rights universally over the face of Northern India had generated a feeling of deep discontent. If there be any one sentiment powerful in the Indian mind over all others, it is the sentiment of affection with which the native views the soil he inherits, the homestead he dwells on, the relations which subsist between him and his landlord or his tenant. A rude shock was given to this sentiment. A body of theorists, prompted by benevolence not unmixed with the selfish

love of social power characteristic of bureaucracy, assailed existing institutions with a vigour and pertinacity that might have done honour to a better cause. Throughout upper India the landed aristocracy was deposed. A spurious socialism that produced only an equality in poverty was made the guiding principle of domestic legislation. Judicial authority was set aside, and the task of breaking down and reconstructing society was entrusted to the revenue agents of Government—young men with scarcely any knowledge of the matters they came to deal with, with awful self conceit, without any correct notion of the magnitude of the interests they were jeopardizing or of the revolution they were effecting. The cause of order received a fatal blow in the vaunted settlement of the North-Western Provinces. In Oude, this course was followed by more than usually violent symptoms. The most warlike portion of the population, the most influential leaders, were injured in their most sensitive parts. The Sepoys began to fear not only for their caste and their pay, but likewise for their lands. They struck the first blow. The feudal aristocrats urged them on. When a certain measure of progress was made, that aristocracy put itself at the head of the movement, and the Sepoy mutiny became the Indian rebellion.

VIII. THE POLICY OF THE DAY*

The measures which the Government of India has adopted to reassure the public mind in the present agitated state of the country have all been marked by wisdom, firmness and moderation. The treason law lately passed, the proclamation issued to the nation and the army, the replies to public bodies which have addressed the Government on the existing state of affairs, the liberal treatment of the faithful, the promptitude and fulness with which information from the disturbed districts of the country is communicated to the newspapers, have severally contributed to allay fears, fix the wavering, restore confidence where it had been shaken, and strike with despair those who hoped to gain by fomenting insurrection. The subordinate Governments in the provinces have also acquitted themselves with commendable prudence and vigor.

* *Hindu Patriot*, June 4, 1857.

Perhaps, it were to be wished that Mr. Colvin's acts manifested a more decided feeling of security ; but the proximity of the seat of his Government to the foci of rebellion and the character of the local population would account for even a greater degree of anxiety. In promising, however, amnesty to repentant rebels, he has not only compromised the Government of the country, but exceeded his own large powers. In the Punjab, Sir John Lawrence is understood to feel his position perfectly secure; and the rather improbable story of his having disarmed the native soldiery of the line within his sphere of Government shows at least the sweeping and decided character of the measures which may be expected at his hands. His brother, the Chief Commissioner of Oudh, is in a position of greater difficulty. Ruling over a newly annexed province and one ever remarkable for the amount of violence which marks its social history, teeming with disaffected residents and turbulent faction, he is beset by dangers against which an overwhelming force—one to be thoroughly depended upon—and consummate tact in management, alone can avail. Sir Henry Lawrence had succeeded to a great extent in conciliating the better orders of the Lucknow population. The military commission of a Brigadier-General with which he has been invested, and in pursuance of which he has assumed the command of the troops in Oudh has been used to no small purpose. But his labours have been almost lost, for the temporary success of the rebels has revived the nearly extinct hopes of the followers of the late Court. His endeavours to strengthen the fidelity of the local troops by the distribution of magnificent rewards to those who may have exemplified marked loyalty in their conduct were most praiseworthy; but after all they have turned but partially successful. The mutiny of Lucknow, however, has been less disastrous in its results than those at Meerut and Delhi, and than from its local position it might have been expected to be.

One of Sir Henry Lawrence's acts is likely to be judged of with some degree of severity in more settled times. We refer to his act of placing the local newspaper, the *Central Star*, under a censorship. For the present our provincial Governors may indulge in the arbitrary use of their authority to the utmost extent without incurring public odium. Sir Henry Lawrence's peculiar situation

strengthens his claims to this exemption from public criticism. The Oudh people are disaffected, that there are mischievous spirits at work, and that among other means used to excite disaffection is the dissemination of exaggerated accounts of the rebels' successes, are facts notorious. The ill-concealed terrors of the European population give birth to huge accounts of danger and disloyalty, which accounts find their way into the newspapers, of course losing neither in body nor in strength during their progress. Through these newspapers, they are received by the public divided between the frightened and the disaffected, and they produce in society the most disorganising effects. Under these circumstances it is clearly the duty of the local administration to place the organs of public information under surveillance. The letter of the Agra correspondent of the *Central Star* has been tabooed. The writer could scarcely have written treason, but he very probably did worse; he gave a description of the imminent peril in which Agra and its Christian population lay, and called the authorities weak for not blowing up all the native infantry in India. Now, a communication of this kind, falling upon such inflammable materials as now constitute a large portion of society in the towns in Upper India, is calculated to lead to the most disastrous results. It would alarm the peaceful and inspire with unfounded hopes those who, wishing well to the rebel cause, might otherwise despair of its success.

The policy adopted by the several Governments towards the country has been, on the whole, sound and judicious. If the needless alarm of a part of the population have marred its utility in any measure, the evil is unavoidable in a community composed of so many nationalities and castes. It remains to be seen what effect this policy has upon the native army. They have in common with the rest of their fellow-countrymen been assured upon the highest authority that the Government has no designs upon their religion or their caste privileges. They have been warned against the artifices of those who have endeavoured to impress the contrary upon their minds. They have the assertion of an English nobleman that cartridges greased with objectionable matter were never issued to a single sepoy. They have, as in the case of the 70th N. I., seen that Government does not withhold its confidence from those who at all deserve it. Above all, they can not help feeling

the military degradation implied in the rapid importation of European troops into the country. If, after all this, their eyes are not opened, they do not perceive the nature of the delusion which has led so many of their comrades to disgraceful crimes,—all that can be said is that a fatality no less strange than cruel drives them to inevitable destruction.

IX. THE CONDUCT OF THE WAR.

In the minor incidents of campaign and tediousness of the struggle has been lost the general interest with which the war was viewed, and people forget to note the real progress made in quelling the insurrection. Because the rebel forces have scattered themselves over a larger extent of territory than they previously had the military occupation of, it is despondingly given forth that the insurrection is more important than ever. The general order of the Commander-in-Chief we published last week shows what little ground there is for such assumption. With the fall of Delhi and Lucknow the most sanguine of the rebels must have been broken-hearted. If human calculations are worth anything there can be no more mutinies—no new risings in any district—no addition of men to the rebel strength. Those who have to the present time withstood the temptations of lawless liberty and easy plunder are henceforward proof against anything and can never again be gained over to the ranks of the enemy by the heaviest disaster befalling British arms. Whatever has been done is done. It is however some consolation, poor indeed, that it can not be repeated. No scenes such as have stampt infamy on Delhi, Jhansie, and Cawnpur can be re-enacted. What numbers may fall in battle, no European can again be murdered by traitors in the garb of obedient soldiers,—no British virgins can hereafter be violated, no guiltless babes butchered. It may now be permitted to any one without fear of exciting alarm to canvass the conduct of the war. The conduct, thoughtful men have from the beginning unhesitatingly supported, and England has at length been brought to admire. With the insufficient means at first at the Governor-General's disposal the most signal successes were achieved, and though many disasters could not be prevented it was promptly shown

to the rebels that theirs was a losing cause. The results since have been so striking as may do credit to any Government on earth. With respect to individual merit, putting aside the exceptional cases which occurred in the earlier stages of the revolt, there has scarcely been an instance of real insufficiency. As the Commander-in-Chief truly remarks, in no previous war were so many general actions fought, so many sieges conducted to a close, so many marches made, within so short a time as has elasped* since the mutinies broke out. And in all these, defeat or failure has been rare.

Yet there have been friendly critics who, entertaining the highest regard for the chivalry and heroism of British officers and soldiers, object to the general war policy of the Government. To them it is inexplicable and almost meaningless. They would like to see a grand army formed, that would strike terror through the country, annihilate before it even the very shadow of rebellion and disaffection, and at the point of bayonet bring men to sense and provinces to order. They complain that small detachments of two or three hundred European troops as they arrive here are sent up the country to be overwhelmed by endless work and peppered away, until succeeding detachments come up to supply their place and as a matter of course meet a like fate. They deprecate this unnecessary and tropical waste of blood. They say, the force that has already come from England ought to suffice for the present requirement. As it is, however, we are more than ever in need of new arrivals and fresh reinforcements. They are certain that the country would long ere now have been pacified had a contrary course been pursued. All the strength of Great Britain has been drained to support her prestige in the East, yet nowhere in the disturbed districts have the inhabitants become aware that the English are more than a very few thousands in number. We confess there is great force and truth in some of these arguments. Yet the policy of the Government is capable of justification, aye and laudation too, on grounds not higher than can be fairly appreciated by ordinary minds. The justification is based upon this. The rebels should never be dignified with the name of enemies. They are merely run-away culprits. Strictly speaking, the war should never be viewed as such. In the work

of putting down the mutineers, the troops are merely engaged in public duties. The numbers of the offenders have necessitated the calling in of the military to assist the police. That the Sepoys are not our "enemies" in the technical interpretation of the word is sufficiently evinced by the fact that if they are ever caught in arms against the State, not the most rigid interpretation of international law will compel the British Government to treat them otherwise than as traitors. So the question of their chastisementt by British soldiers can never enter into our calculation as a serious question of "war policy." Wherever and in whatever strength a rebel army may be found, it should be the duty of the nearest commander of British troops to see it immediately attacked. To wait for re-inforcements or mature plans of operation is doing so much honour to the Sepoys—is to elevate one's own subjects guilty of murder and riotous conduct to the rank of foreign enemies. If military officers want a precedent for their conduct, the solitary chowkeedar braving, vainly though it be, against a gang of Dacoits will supply it. Besides the moral influence over the country of the policy which Government has in this case pursued, and which we have been defending, can not be over-rated.

X. THE PANIC AT CALCUTTA*

Never since the day on which Serajoodowla sent his Pathans into Calcutta to wrest the factory from the East India Company and put every white man to the sword or in cords, was Calcutta so beside itself with terror as at the present moment. The English have always been noted for looking danger steadily in the face. But at times an excess of caution assumes a rather ridiculous turn. The state of feeling now exhibited by the notabilities of Chowringhee and their humbler satellites in Kassitolah is very much akin to that which drew the laughter of the world on the aldermen of London and their militia when Boney was a stalking horse in the imagination of the British people. Within the last fortnight, the gunsmiths have been deluged with custom, and their fortunes have been as effectually made as if the dreaded loot of Calcutta had been

* *Hindu Patriot*, May 28, 1857.

poured into their laps. Indeed guns, pistols, and rifles have turned up to famine prices, and many a portly citizen who never before in all his life was guilty of the least insight into the mechanism of these murderous weapons, may now be daily observed to look as fierce as a Hussar, screw up his mouth, twinge his eyes, and fall away at the trigger till he grew red in the face and the smart crack upon cap "warranted not to miss fire, nor fly" told the flattering tale of his invincibility. Some have achieved the feat of offering for militia, others have got themselves sworn in as special constables—a feint with many to throw off the responsibility of defending their wives and their daughters and run off on the smallest alarm to a place where numbers would at least lessen the chances of their being taken off like game. Amongst the classes that emptied Manton and Rodda of their stock in trade there is one whose known heroism affords a better guarantee of the safety of the Calcutta lieges than Lord Canning's protestations,—we refer to the class the members of which swore, when a native was appointed Magistrate in Calcutta, that there were six hundred youths amongst them who would undergo all manner of hardihood in order to resist the jurisdiction of the new functionary. The pedagogue who supplied them with morcean from Goldsmith's History of Rome, if a poet by the way may, like another school-master of classical fame drive his people on to combat and celebrate their exploits in stirring songs. We hope this Theban band have improved in their spirits since their last campaign and that they have paid or intend paying for their ordinance store. A great deal depends upon this latter fact, for a muddled conscience is the companion of a cowering spirit.

But ridicule apart, we seriously ask, is Calcutta really in danger? If two thousand sepoys can loot the metropolis of British India, put every citizen to the sword and burn and pillage without let or hindrance, then the metropolis of British India has no business to encroach upon the map of the country and the Bay of Bengal would perform a grateful service by washing away the doomed city into the Indian Ocean. The native soldiery in Bengal have no alternative but to remain still in their places. It is a position forced upon them by the population of these districts. As the soldiers of Government they are an object of dread to those with whom they are brought into contact. It is not the power of the Sepoys in the

abstract however that is respected but the power of the British Government which the sepoys represent. Let the distinction be withdrawn and the vengeance of the State proclaimed against its native soldiery, the life of a sepoy in Bengal will not be worth a second's purchase. The men of the Upper Provinces can never obtain the sympathy of our people. On the contrary every door will be closed and every available musket in the country will be found against them. Want of supplies, and inveterate pursuit, and determined hostility will annihilate the temerarious men who may attempt to parade through these provinces in defiance of constituted authority. The sepoys are fully aware of this state of things, and if they have the faintest love for existence they will not attempt in Bengal the game which their comrades have been playing at Delhi. We can guarantee peace and protection to this part of the country and as to Calcutta being sacked, we give it as our firm unwavering opinion that such a contingency is not likely to precede the millenium. Let those therefore who have purchased guns and pistols and improvised themselves into "fighting allies" in the turning of an eye, dismiss those dreadful instruments before they have shattered either their own heads or their neighbour's heads —events not unlikely to occur with heroes who never till the present emergency witnessed a fire-arm. If they live to see the millenium, they may live to cover themselves with glory as the defenders of Cassitollah.

XI. "AS YOU WERE"

We must acknowledge we have been very remiss in not having taken a farewell of our friends, the Calcutta Volunteers. We must offer our apologies for the same. Our acquaintance among the members of the corps was certainly not very extensive, but at the same time, be it said, we always took a lively interest in their welfare. That so august and patriotic a body should have had such a short existence, is not what we expected. We were inclined to believe that the Volunteer Guards would have been made a permanent corps. But whether the inhabitants of this city would place themselves entirely under the tender mercies of the Volunteers, and whether the corps would realize their very sanguine expectations was,

we think, always problematical. In saying this we do not mean to cast any aspersions against the whole body of that noble army of martyrs to panic and patriotism. On the contrary, we think, there were several wise men of Gosham in the ranks; but on the other hand, we do believe, there were many, who in case of an emergency, would have wished to live and fight another day. A story is related of the late Duke of Wellington, that many years ago when the Members of the Upper and Lower Houses of Parliament had very unparliamentarily used one another, and had gone to such extremities as to call in the assistance of paper bullets, Her Majesty sent for the old Duke. On matters being explained to him, he, addressing the peccant members in an authoritative tone, said, my Lords and Gentlemen, "As you were." This is just the style in which the Volunteers have been treated by Earl Canning. They forced themselves on him when all Calcutta slumbered and slept in the utmost tranquility. At least such was the belief of His Excellency and his advisers. Nevertheless we heard at the time that several ladies made special indents on the hotel keepers for port wine, and on the dispensaries for pungent smelling salts. The public mind rose to a furor such as we have seldom witnessed. All Calcutta, his wife, and daughter were mad with rage with Lord Canning, and without knowing the why or because, they cried with one breath, "Crucify him! Crucify him"! And when his Lordship discovered the wailing and gnashing of teeth prevailed to such a degree, he was moved to pity, and as pity is akin to love, a Volunteer Corps was organized. A large concourse of people assembled on the glacis of Fort William the day after the order was issued, some with rusty muskets and swords, and others with bludgeons which may at one time have been the property of a constabulary. The rage for volunteering at this period became so great that every other gentleman on the road either was, or professed to be a Volunteer. School boys soon took up the example and devoted their play hours to undergoing platoon exercises of a certain kind with walking sticks bamboos and rattans for muskets and swords and even children in frills were anxious to learn the arts of war. Doubtless, Lord Canning indulged in a low noiseless chuckle at such tokens of loyalty and patriotism. We say a noiseless chuckle, because we fancy he must have enjoyed his laugh too much to allow any of it to escape in sound.

But the liel and true Volunteers to all appearances, and from never-ending accounts were daily, nay hourly becoming a more distinguished and martial body. They had gone through the "goose step" but did not consider themselves geese, or ganders for the simple reason perhaps that they had not been taught to cackle. Their picket hours were merry. In some instances they challenged passers by in such subdued and insinuating tones, as to make them believe that they (the Volunteers) were only after a little innocent diversion. But we are told that on certain occasions, when a panic was expected and volunteers were obliged to stand sentry with loaded muskets there were people in some squads, who beyond hearing the report of an air gun or fowling piece, never knew the mysteries of gunpowder and consequently when loaded arms were put into their hands they trembled as though they were troubled with St. Vitus' Dance. The cry of "Pandy! Pandy!"* had been raised, but fortunately for the Volunteers, that monster who was represented as being more terrible in aspect than the beast with seven heads and ten horns, never made his appearance. A season of apprehension and alarm was thus overcome much no doubt to the consolation and infinite delight of the Calcutta Volunteer Guards. By the end of November 1857 the Army of Retribution had set foot on Indian soil. It was a little after this again that the renowned Highland Regiments arrived in Calcutta, and seemed anxious to begin the contest without the least degree of ceremony and fight their way upwards from Calcutta. The force of valor could no further go. The Guards at this time mustered abaut six hundred men, and they were prepared to meet a legion of Pandies! and so highly was their courage admired that on seeing a Volunteer some ladies are said to have exclaimed :—

"Oh valiant man with sword drawn and cocked trigger.
Now tell me don't you cut a pretty figure."

The Band of the Cavalry Volunteers amused us especially. The musicians wore a uniform of flaming red and were mounted with white steeds. This put us in mind of the saying of Maharaja Runjeet Singh, when he exclaimed "*sub lall ho jaegah.*" But so long as the Volunteers confined themselves to such like, and other field sports,

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* From the name of Mangal Pandy a mutinous Sepoy of Barrackpore, 'Pandy' became, with Europeans, a general name for Sepoys.

no one could say aught against them, and while under command of the much esteemed Major Davis, no body of people could have been happier. The Volunteers continued steadily in the ranks, and on every parade morning a good muster was always present. This was no doubt cheering to the person who brought the corps to the perfection at which it arrived. But when Major Davis bid adieu to the corps, a visible change took place. Numbers retired from the field on his departure, and no entreaties could induce them to shoulder the musket again. A galloping consumption followed. For as the mutineers were being hunted down by Havelock and Neill, and danger was less apparent, the people congratulated one another and the Volunteers began to breathe more freely. The numbers of the corps from this period became irregular in their attendance and a reserve guard was formed. A great many flocked to this asylum, but the odds in a very little time proved that the reserve force waxed stronger numerically than those who were out on drill. The Volunteers were now considered a myth, and their best friends could not help observing that they looked on them as a vision. The officers convened orderly room meetings, and as they did not know what course to pursue, they laid the matter before His Excellency the Governor-General. After a very short interval the most suitable word of command was given by His Lordship. "As you were"—and the brave Volunteers went their ways to their pens, inkstands and desks. Earl Canning has presented them with their baise coats, and muskets to be handed down as heir-looms to their grand-children, and to generations yet unborn.

The affair concerning the dinner to be given to the Volunteers must be too fresh in the minds of our readers to need recapitulation. We have no desire to inflict further, or deeper, wounds on the already lacerated feelings of the Government officials. All we would now say is that the Volunteers should have a dinner among themselves.

XII. INCENTIVES TO REBELLION

We have yet a lingering hope for a royal commission of enquiry into our grievances. Why have the people of India revolted or

sympathised with a revolt? The question has been asked, and the Potrius of the day must wait for a reply. Meanwhile every incident calculated to throw light on the question must be brought out. Here is one.

Pinhait and Bah are the principal towns of two different Pergunnahs included in one Tehsildari which goes by the former name. Pinhait is about 40 miles south-east of Agra, and fartherwards in the same direction is situated—at a farther distance of 16 miles—the town of Bah.

Here resided the Zemindars who were the chief actors in a late tragedy. One of them is he who was murdered in a recent affray was a Chowbay Brahmin—a wretched intriguing character—and the other is a Rajpoot of the Tomur tribe. Long before the outbreak the latter held extensive tenure in the Pergunnah in fee simple, the possession of which as well as his general respectability of character gave him a decided influence in his neighbourhood. Chowbay however did not like this. A bond was fabricated : an action was brought to enforce payment of it and a decree obtained in the civil court, in execution of which the greater part of the Rajpoot's estates passed into other hands. About May and June, when district after district began to crumble to the shock of the mutinies and anarchy almost universally prevailed the Rajpoot Chief contracted a disbelief in the continuous dominancy of British in India. He accordingly determined to take advantage of the lawlessness of the times by forcing the Chowbay to execute a reconveyance to him of a large portion of his disseized estates. On the subsequent resforation of civil authority in the district, the Chowbay prosecuted his adversary for rebellion and for extortion from him of the deed of reconveyance. The latter aware of the consequence of a conviction absconded leaving all his property behind, to be confiscated to the state. He has ever since been endeavouring to collect friends and having succeeded in enlisting a notorious dacoit on his side is become the terror of locality.

Here is a man, who under happier circumstances would have formed a subject of whom any sovereign might be proud, driven to rebellion by circumstances actully beyond any human power to control. He is now ravaging the district of Agra, the Brigadier, as often as he moves out, failing to meet him.

THE LUCKNOW REFUGEES*

The first body of Lucknow sufferers, have arrived. The firing of two guns from the ramparts of Fort William on the evening of the eighth instant announced to the public that the *Madras* was passing Atchepore. The commander of the steamer was directed by a telegraphic message to anchor below Garden Reach for that evening. No preparation that is made on state occasions was wanting for the reception of the refugees at their landing at Prinsep's Ghaut on the morning of the 9th instant—the memorable morning, the remembrance of which will be ever cherished with painful interest even by all that were present on the occasion. Amongst those who were assembled at Prinsep's ghaut to receive the heroic band, we observed Mr. Beadon, secretary of state, the Honourable Geralode Talbot, private secretary to Lord Canning, and Dr. Lecke secretary to the relief fund committee. The solemnity of the occasion could not have failed to inspire the most awful reflections in the minds of the spectators. The general silence that prevailed, when the heroines were being landed and handed over to the respective carriages that were in waiting for them and the grand demeanour of the lookers on testified to the sympathy they bore towards the victims of the most painful bereavements with which humanity can be afflicted in this world. The downcast looks, the gloomy countenances and the furrowed cheeks of the heroines bore evident marks of their physical suffering and their mental anxiety for the hardships and the losses they had to contend against for months in garrison, surrounded by an overpowering enemy whose fires threatened them without intermission with the fate that deprived them of all who were dear and near to their hearts. There could not have been a single spectator amongst those who assembled to do honour to suffering humanity. brought back to our recollections the saying of the late Sir Henry Lawrence when he was advised to move from the room that proved his death scene that, when the messenger of Death would arrive, it would find him wherever located. We ought to be thankful to the providence that had spared from the fate of others those who must have despaired for their safety. To Sir Colin Campbell

* *January* 14, 1858.

is due the credit of having under a kind providence rescued the Lucknow garrison with the aid of military genius that can hardly be surpassed. The gratitude of a whole nation will repay His Excellency and the men under his command for their undaunted bravery. History will do justice to the glorious feat achieved by them under the most untoward circumstances. We hope that the relief committee will exert its best, as we have no doubt it will, to minister to the want of those that have survived the fate of their unfortunate brothers and sisters. We sincerly trust that by the aid of a kind providence that has mercifully interposed for their lives, their health and vigour will soon be restored by the balm that would now be administered to their wounds by endearing friends and relatives and by the ladies and gentlemen that formed themselves into a committee for their relief.

EX RAJAH TEJ SING OF MYENPOORIE

People in the North West are looking forward with intense interest to the decision which will settle the destinies of Tej Sing, the deposed Rajah of Myenpoorie. still in his teens, handsome, generous and ingenious, it is not at all to be wondered at that he should be an object of his country's solicitude,—especially when his countrymen believe him to be innocent ; and it therefore behoves the Government, before subjecting him to his last punishment, to disabuse its subjects by the clearest evidence of their belief in his innocence. But apart from this consideration, which involves a vindication of justice of the state, we have other reasons for recommending a searching investigation into the case, as on its issue depends the solution of a problem, whether the Rebel chiefs are indefinitely to protract the struggle, to postpone their punishment, or to surrender themselves up peacebly to take the chances of a trial. The rebel will think twice before he gives himself up, when he finds that voluntary submission instead of contributing to mitigate punishment, only serves to give a swifter transport to the gallows.

The result of our enquiries, made through parties having far better opportunities than Government officials of arriving at the

truth, is sufficiently convincing to entitle Tej Sing to our commisseration, and to justify the indulgence of a hope by his countrymen that he may soon obtain an honourable acquittal and be restored to his rights and possessions.

Even now he may hardly be said to have attained years of discretion. His uncle, the late Rajah whose Guddee he inherited, having died childless, his heritage was claimed by right of primogeniture by Bhowany Sing, a son of the second brother of the deceased, but the dowager Ranee having opposed his claim and supported the pretensions of Tej Sing, son of the younger brother of her husband, the last named claimant was, with the sanction of the Revenue authorities, installed in the Raj.

Bhowany Sing, feeling aggrieved at having thus been superseded in the succession, instituted a suit in the Civil Court to contest the young Rajah's title to the heritage to which, by priority of birth, he considered himself justly entitled. The case was ultimately appealed to the Sudder which confirmed the proceedings of the Revenue authorities. Bhowany Sing next appealed to Her Majesty's Most Honourable Privy Council, where the case is still pending decision. Intermediately the mutiny broke out, and presented a splendid opportunity to Bhowany Sing for plotting against his adversary; and a right use he appears to have made of the occasion.

About the close of May 1857, a wing of the 9th N. I.,* mutinied in Myenpoorie. The treasure which was in the Collector's Vault had been timely removed into the Rajah's Gunee. It could not therefore be boned by the mutineers, who marched off towards Delhi without touching their officers. Subsequently when the mutiny had spread in all directions and Myenpoorie was threatened by a strong body of sepoys from Bowgong, Tej Sing considering it no longer safe for the European residents to continue in the station persuaded them to quit it—giving them at the same time a safe escort to Agra and promising to deliver up the treasure in his charge when he might be called upon to do so.

Not long after the European residents had abandoned the station two or three mutinous Regiments appeared before the gates of the town and commenced to tamper with the young Rajah.

* Native Infantry.

Tej Sing, foreseeing that the object of the sepoys was either to drag him into the vortex of rebellion or to sack the town, thought it prudent to get rid of his friends by offering a kind of black mail, which he paid out of his private funds and not, as is supposed, from the public money in his charge.

No sooner were the sepoys packed off, than Rajah Tej Sing went actively to work, made the best arrangements he could under the circumstances for the maintenance of order in the district, and saved that part of the country for a long time from relapsing into anarchy; but all his measures were upset by the Aheers who subsequently broke out into open rebellion. These men who compose an influential class in the district, live while under restraint by the arts of husbandry and cattle-rearing, but take to marauding the moment they find the curb of law withdrawn from society. Rejoicing in the prevalence of universal anarchy, they could ill brook the interference of the Rajah with their sacred and presciiptive right to plunder, and finding themselves numerically greatly stronger than the Rajah's retainers, broke loose upon the peaceful inhabitants of the district. Having no organised force to send out against these pests of the district the Rajah was compelled for a time to leave the interior to their mercy and to limit his defensive operations to the town and fort. At this critical conjuncture, a disaffected cavalry corps halted at Myenpoorie and threatened to sack the town. The Rajah apprehending danger both from within and without, incurred the responsibility of taking this corps into his service, solely with a view of trimming his vessel during the storm.

With the aid of this regiment he was signally successful in keeping the Aheers in check and in restoring order to the district; but it was all to no purpose: he had employed mutineer as his tools—*ergo* he was a rebel to the back-bone!

Another count in the indictment, we believe is that the Rajah refused to deliver up the treasure in his charge when required to do so by the Agra authorities; but the truth perhaps is that, as the requisition was made through a company of Camel Riders, who could produce no satisfactory credentials to prove that they had been expressly deputed for the purpose, he had no alternative but to refuse compliance with their request.

While Tej Sing's time and attention were wholly engrossed in

devising plans for preventing the utter disorganization of the district, an undercurrent of faction, of which the young man had not the remotest idea, was slowly undermining the confidence of Government in his professions of loyalty. A correspondence was being carried on with head quarters ever since the abandonment of the district by the British authorities with a view to dupe the good folk of Agra into a belief that Tej Sing was playing a double game with the Government, and at the same time every base artifice was resorted to to intimidate the Rajah by misrepresenting to him the intentions of the Government. On the advance of Colonel Greathead's column, Tej Sing was urged to seek safety by flight; but he hesitated and hid himself in the town during the attack on the fort. His sudden disappearance however shortly afterwards served to confirm the Colonel's suspicions of his guilt. Not afraid of death, but of the mode in which it might be inflicted, he finally took the rash step which precipitated his ruin. Instead of presenting himself to the civil authorities which accompanied the force he abruptly fled to Buttesur, overcome with fear. There he remained *incog* until the offer of a rich reward for his apprehension rendered it no longer prudent for him to prolong his stay in that locality, and he accordingly fled into Rohilkhand. Hotly pursued there, he recrossed the Ganges and, heartily tired of the roving life he had led, surrendered himself up to the authorities of Etawah.

How he will be disposed of remains yet to be seen. He has spilt neither *white* blood nor *black* blood, has given safe convoy to Europeans, saved public treasure estimated at upwards of 3 lacs of rupees, maintained order and collected revenue in a district as a representative of the British Government, and got for his pains a bill of attainder, which deprives him of his title, his pension and his estates, and bestows them—unkindest cut of all—on an individual who has been unrelenting in his efforts to compass his ruin. The finishing stroke has yet to be struck!

XV. THE REAL DISEASE

One of the most recent state trials held at Lucknow was that of Rajah Jeylall Singh. He was tried for being a leader in the rebellion and for having taken an active part in the massacre of

Europeans. He was condemned and hanged. From all accounts that we hear of the man we are led to believe him to have been as fine a specimen of Rajpoot humanity as ever that noble race produced. But amongst the papers found in his boxes, and the purport of which was but too fatally carried into practice, was the following perwannah to the officials in the name of the new king of Oude. It was understood to be the writing or dictation of Jeylall Singh, who had become the Secretary at war.

"As we are appointed, and our desire is, to give peace and security to all our subjects, it is our will and pleasure that all the tribe of English Kaffirs be exterminated from our country, old and new; consequently, Banee Madho is appointed to Jounpur and Azimgurh, and it is ordered that you aid the said Rajah in murdering, and seizing, and exterminating that tribe in such manner that not a sign of them be left, and obey Banee Madho in all things, and it shall be for your advantage."

If the greatest amount of hatred conceivable could be concentrated into ten lines of any language, it was that which dictated the above. It was more than human hatred, it was diabolical hatred that decreed the extermination of the "tribe." No exception occurred to be made in favor of sex or age. All were to be exterminated. We allow that other countries and other ages have witnessed the promulgation of edicts similar in tone and feeling. But there was this in them to distinguish them from Rajah Jeylall Singh's decree that they doomed a "tribe" that was not a race. We read in apocryphal histories of England that the Saxons appointed a day for the massacre of all the Danes in the island. But we cannot realize to its full extent the import of that unperpetrated fact. In the paragraph quoted we find a recorded resolution that was carried into the most dreadful reality of execution.

We repeat that the men whose will found vent in those words were Hindoos and Rajpoots, a race the mildest and most chivalrous the earth ever produced. Yet it was men of this race who, continuing the tradition, religious teachings, honor, faith, the virtues of their ancestry, obeyed the satanic dictate, and betrayed and harmed and murdered all of the "tribe" who sought their protection.

The question is, who is responsible for this perversion, we shall

not say of Hindoo and Rajpoot nature, but of human nature? Let the *Times*, the most English of every thing English, answer—in terms which that journal alone knows to use in these days of degenerate eloquence:

"But in spite of this sense and goodness, in spite of home experience, old saw, and sacred text, a doubt intrudes itself. It is written somewhere, and quoted, that 'Man doth not live by bread alone'; and bread, after all, with all its own finances and laws, is not the moving power of mankind. It is not bread that has filled our streets with crowds of strong idle men. It is not bread that but just now strewed the bones of a hundred thousand Frenchmen and Austrians on the great plains of the Po. It is not bread that now agitates Central Italy. When we look to the greatest changes in the past or present world, we may indeed see hungry and naked populations and rapacious hordes; but these vulgar wants only led the mercenary or the desperate. Hurricanes of nobler passions played on the inert mass, and stronger minds appeal to the baser appetite for their own purposes. Nationality, loyalty, the antipathies and sympathies of race, religious enthusiasm, the delusions of an hour, and more than all, the explosions of human feelings that follow particular acts of atrocity, may destroy in a day the wisdom of a hundred years. It is evident that others have an access to the higher feelings of India that we have not. They still cherish the superstitions and remember the dynasties of the terrible old lords; they know not what suffered and perished, but what survived and is glorious. They have no regard for a Gospel which, to their simple apprehensions, belies itself at every step, writes peace with the sword point, and comforts with artillery. Nor will they ever want for leaders. Even in this tame country we know how many are ready to risk every thing for a high game, if they have but the opportunity. In India the common part is soon played out, and then comes the higher craving. Even in proportion to her vast numbers she has probably more men ready to lead a troop or an army, to attack a city or demand an empire, to preach a crusade or invest a caste, than we have for operations of corresponding audacity. The only reason that can be given against another mutiny next year is that India has had a fearful and irresistible warning of our power, as well as our resolution. What is to hinder

by and by, in this or the next generation, some out-break that shall not tread in the very steps of the last, but shall have its own promise of success? What are we to do with the military classes, and the military spirit of India? What with its political and religious traditions and its inexhaustible invention? Peace and plenty, trade and employment, have worked wonders at home They have not prevented, they have even caused the nine hours' strike. If that is their operation in this metropolis, how can we be sure that they will prevent conspiracies and rebellions in India? Well, that is the thing to be tried. Mr. James Wilson* will do his best, and no one would do it better; but when he has done all that mortal man could do in his province, then comes the real question."

The leading journal is not despondent without reason. English statesmanship may secure our property, increase our wealth, multiply our comforts, strew the country with palaces and with plenty to fill them. But "man doth not live by bread alone." So long as English rule means civil and political degradation, as it undoubtedly doth now;—so long as to meet an Englishman is to be insulted and dishonored, as is undoubtedly the case now;—so long as all that is noble and brave and aspiring in human nature is crushed and trodden down in us by English pride;—so long as it shall be the Anglo-Indian creed that the fattest is for their board, the fairest for their bed; so long shall proclamations like that we have printed be conceived, framed or promulgated, according to opportunity, even by the Hindoo and the Rajpoot.

XVI. NARAIN RAO AND MADHO RAO

The ablest, best informed and need we add? the most rabidly obstreperous journalist in the North West Province—evidently without much forethought—for else not all the world could have induced him to come out so openly and frankly—assures us that the brothers who are the suject of these observations, after having been judically convicted and sentenced to transportation for life to expiate the crime of rebellion, have been recommended for mercy on the ground of the elder being next thing to an idiot, and the

* An English economist of note who had just been appointed Finance Minister in India.

younger of too tender age to have been capable of acting himself, and we have no reason to doubt the accuracy of our contemporary's statement. The fact is certainly agreeable to the feelings of those who profess themselves to be the friends of peace and order, and bespeaks at least the good policy, if not the magnanimity, of the Government; and so long as Lord Canning continues to sit at the helm of public affairs, no one need apprehend disappointment from the result. But without venturing to put in a word of commisseration for the elder brother, who, though an idiot, may in the year of grace 1857, have been blessed with lucid moments to meditate a conquest of the Moon, may we not now be permitted, without staggering liege men out of propriety, to question the equitableness of a sentence which would, to all intents and purposes, blot out from the book of existence a mere child whose consciousness of right and wrong was about as clear as must have been that of the frolicsome boys who, lately in the Moradabad district, mimicked their rulers by hoisting, on the nearest tree, a little member of their mock body politic, who had been sentenced by their Archon-elect to suffer death as a Baghy on the gallows and then packed off to their homes in utter amazement and consternation when they found it was all over with their little culprit? But, fortunately, neither the little Archon nor his pigmy lieges, had an estate bordering on a crore to attract the special attention of a special commissioner; else the affair would have ended somewhat more seriously than with the simple dismissal of the parents with an admonition to be a little more mindful of their charges, for the future. How then will these two little incidents stand side by side on the page of history? That Madho Rao's sentence will be remitted, we have already said, we entertain not the shadow of a doubt, but is his estate, which has passed into the shark's belly, at all likely to be restored to him? We wish we could reply to this question in the affirmative, but the very fact of conviction before a legally constituted tribunal will, notwithstanding the subsequent grant of a pardon and no consideration of justice or humanity induce to a relinquishment in these necessitous times of a million pounds sterling in hard silver and gold.* And what would be the

* This defective sentence appears in print.

immediate consequence of such a measure? Surely not sufficiently alluring to those chiefs, who are still holding out, to surrender themselves to take the chances of a trial.

XVII. REFLECTIONS ON THE MUTINY AT MULTAN*

The occurrence of the outbreak at Multan at this dying stage of the rebellion, though accepted by our contemporaries as a final proof of the inveteracy of Indians against British rule and of their natal ingratitude has, we must own, wrought very different convictions in our mind. Granting that the Indians are a nation of vipers, that they are incapable of appreciating kindness, that for all the good you might shower upon them they would return you evil in kind, we are still at a loss to conceive how the propensity to be ungrateful could be indulged at the hazard of life. To suppose that this is possible, is to assume that the law of self-preservation, the potency of which is universally felt and acknowledged by men at all times under all circumstances, altogether loses its influence when an opportunity offers of doing wanton mischief.

Many of our readers must be aware, that the 62nd and 69th had been disarmed during the heat of the rebellion, not for having manifested a mutinous spirit, but from an apprehension of their becoming some day mischievous; the fact of the men having been suffered to breathe the breath of existence many long months after their disarmament in a land where whole regiments had been annihilated by the fire and sword, if it proves nothing else, proves at least that their conduct prior to the 31st of August last, had not been such as to justify their wholesale destruction; and the further fact of the issue of the order to rearm one of the regiments bears *prima facie* evidence of the loyalty of that corps. That the 69th against which the fiat of disbandment had gone forth, should rise to avenge their disgrace, provided they felt themselves sufficiently strong to overpower the remaining part of the garrison is plausible enough but what on earth could have induced the 62nd, already under orders to be rearmed, to make common cause with their disbanded brethren, unless it were their ineradicable hate to the

* *Hindu Patriot*, Sep. 30, 1858.

Feringee, or a desire for self immolation urged on by despair to avert a more disgraceful fate, is a question, not to easy of solution. That there is an absence of good feeling between governors and governed it would be uncandid in us to deny; but we wish at the same time to be understood that we do not think the whole blame rests with one of the parties alone. We all know that cordiality, in the true sense of the word, cannot subsist between a conquering and a conquered race so long as the former by their narrow-minded acts keep fast the recollection of national degradation in the minds of the latter. After what length of time and by what means was the bitter animosity between the Anglo-Saxon and his Norman conqueror extinguished? After how many centuries were the interests of Ireland, even if yet, identified with those of England? What maintains the mutual good understanding between Scotland and England? Have the Poles yet forgotten their nationality after nearly the lapse of a century, and do they even now view their Russian, Prussian and Austrian spoliators as their benefactors? Did the Mahomedan conquerors of India with all their splendid liberal concessions to the conquered races, ever succeed during their long rule in obtaining the cordial support of the latter? Let Englishmen first learn to fling away that pride, which of all things renders them the least acceptable; let them admit the natives on terms of perfect equality; let them while in India cheerfully and without hesitation submit to the jurisdiction of the same local laws and regulations to which the natives are amenable; let them do away with the privileged services; throw open all public offices, high and low, to the fittest men without distinction of creed or colour; give the natives of the country a voice in legislation, and then let them blame Indians for want of cordiality. It is no use to be chattering about their unfitness for holding high office, for once the barrier is removed which obstructs our political progress, the fault will be our own if we still keep ourselves in the back-ground. Would not the sons of aristocracy and gentry of the land, when allowed the same advantages of education, do just as well, if not better, for holding posts of command in the army, as the nephews and sons of Directors palmed off so unscrupulously to feed upon the resources of India? Who are they that in humbler walks of the public service really conduct the civil administration of the country

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and are yet jealously excluded from participation in the loaves and fishes of the land? How utterly helpless would be condition of many a civilian were he deprived of the services of that unpresuming man who, sitting on a mattress with a knot of mohurirs drawn around him. keeps pulling the wires while his faced automaton is waltzing to a tune.

Such then being our estimate of native feeling for the dominant race, we will not venture to give the 62nd and 69th regiments credit for being imbued with a better spirit than what a race of conquered men may reasonably hold forth towards their conquerors Not considering the chances they had of making a successful display of such a spirit, it is impossible to believe that antipathy to British rule was the exciting cause of the mutiny. The men, it will be remembered, rose with their fists and their clubs; their rise was sudden, for had it been preconcerted with the whole native garrison, the plot would to a certainty have been discovered by the authorities through the Sikhs and the Irregular Cavalry who remained true to their salt. They could not have calculated upon the entire garrison fraternizing with them, for those who held aloof were still on the effective strength of the army and must have been thoroughly impressed with the utter hoplessness of such an enterprise. Why then did a regiment expecting every movement to be rearmed and another which though disbanded had been assured of being allowed an unmolested journey home in batches of twenties, mutiny under such odds. To us the why and the wherefore is so clear that one that runs may read. Neither did the 62nd, believe that Government really intended to rearm them, nor the 69th that they would be allowed an unmolested journey to their homes; and these erroneous and mischievous impressions must have been confirmed by the significant hints of those in whom the men had been accustomed to confide. If those Anglo-Indian journals which are largely supported by the army may be considered the ventiliators of the thoughts and feelings of the military, there can be no mistake that the state of feeling among officers towards the native soldiery is anything but satisfactory—the active antipathy of the former to the latter shewing itself in bolder relief over the passive ill-will of the latter towards the former. We admit that there are a few honourable exceptions to this rule, but there can be no question as

to the feelings of the generality of officers who appear to have contracted an almost incurable hate to the sepoy. It is therefore not improbable, that these, piqued by the recent orders issued to rearm some of the disarmed Regiment have, out of sheer spite and malevolence, been busy spreading false alarms which by inciting the already panicstricken Pandy to acts of desperation have borne such evil fruit at Multan. The 62nd and 69th might have been led by such misrepresentations to believe, that it was intended they should be butchered in cold blood on their homeward journey, and they accordingly rose with their clubs and their fists to save themselves from ignominious death. They madly rushed unarmed upon the guns were beaten back in detail, and cut up almost to a man during the charge and the pursuit—thus averting the fate which they had so much dreaded.

These being our impressions relative to the true cause of the outbreak of Multan, we would recommend a strict and searching investigation of the affairs, in order that the mischief may be traced to its source. We know it is simply impossible for the Government to do without a native army, and as a new one must be entertained to supply the place of the old, it behoves the Government to discourage by all possible means the further spread of a feeling between officer and men, which may, sooner or later, vent its bitterness in a second outbreak far more appalling and destructive in its consequences than the one we have lived to witness and to deplore. Let a universal and unconditional amnesty be proclaimed, throughout the length and breadth of the land, let it be extended to all rebels and mutineers whatever may have been the degree of their criminality: it will never do to make the boon exceptional—*Bisdat qui ceto dat*! The partial success of the Rohilkund and Oude proclamations is attributable, not, as has been supposed, to any reluctance on the part of suspected individuals to accept mercy at the Feringee's hands, but to the insertion of a clause in each which, denying pardon to a certain class of offenders threw suspicion on the entire act, and deterred many an influential native who had unfortunately jeopardized himself during the disturbances from returning to his allegiance. Let the higher ranks in the army be thrown open to the natives, and thorough acquaintance with the manners, customs and habits of the people made an indispensible

qualification for admission in the upper ranks. Let personal popularity among their men be counted among the deserts entitling officers to promotion; and let abusive language towards the men be made punishable with dismissal. Let all race distictions be abolished, let the Indian labour under no political disabilities and and let not the enjoyment of civil rights be circumscribed by circumstances of birth and colour. Then shall confidence be restored to the mind of the native, and Government not be considered altogether unreasonable in expecting that zealous support from Indians, which a nation freely and gratituitously offers to a national and a constitutional sovereign.

XVIII. THE HISTORY OF AGRA SINCE THE MUTINIES.

On the 11th May 1857 intelligence of the Meerut catastrophe was flashed by telegraph to the metropolis of the North West. It came not from the authorities to the authorities, but from a private source. The news soon obtained such publicity in official circles as to reach the ears of the Lieutenant-Governor. That great and good statesman, on whose energy and tact then depended the weal or woe of India' was evidently not prepared for a shock that soon bade fair to strike at the root of that supremacy which the chances of a century and the adoption of an unflinching all-absorbing policy had thrust upon his countrymen. His first impressions were, that it was a local mutiny, that the disaffection would not spread throughout the native army, that a spark here and a flash there might be exhibited at military stations in the provinces, yet that the mass of the native soldiery would remain true to their colours and give a helping hand to the Government in quelling the partial revolt in the army. He prudently awaited further information before laying down his plans. This he obtained a little later the same day by letter from Lucknow. It disclosed a plot for a simultaneous rising of the Indian army and announced that active preparations were being made by the Lahore authorities to meet the coming crisis. On the 12th May, news of the Delhi massacre was vaguely rumoured within hearing of the Lieutenant-Governor, and as it was bruited in the station that the Troopers of the 3rd Light cavalry from Meerut

and Delhi had arrived and were tampering with the sepoys in the cantonment to the end that they might at once seize the Fort and arsenal, a company of the 3rd Europeans slipped into the Fort evidently with the object of relieving the sepoy garrison which was supposed to be wavering. The public offices were abruptly closed at mid-day and there were seen broken lines of carriages freighted with ladies, gentlemen and children of varied hue, decorated with bonnets and hats streaming from the civil lines through the city towards the Fort. Not a word of precaution, not a hint was given of the impending danger to the native population. The native officials in public offices were sent away to their homes after a fashion which failed not to convince them that the reason for reticence on the part of the Christian community was a general distrust to the native population—even to the extent that their admission into the secret might render the short journey to the Fort perilous. A class of Christians that had ever since the time when an apostle preached and proselitized on the Malabar coast been looked down upon by both Jew and Gentile, now began to breathe more freely.

Its members saw that they had reached the turning point in their destinies, that an opportunity had offered which might be turned to account but which neglected might never return, that a time had arrived when by killing the dead they might establish their reputation for bravery and prove to Government their loyalty. Men filling the higher grades of the service had hitheto denied them a social position, had stigmatised them as the Keranee race, had learnt to distinguish them as men who had imbibed the vice of intemperance from Europeans and of mendacity from Indians; but a day had dawned upon the prospects of this race when its members hoped to wash themselves clean of every foul stain on their character with the blood of the native, and they were determined to thrive under the genial influences of the moment. Men in authority were importunate to believe that Indian nativity and loyalty were incompatibilties, that a native who was sincere in his professions of fidelity was a monstrosity, and that, train him as you will, he will, when released from restraint, betray the propensities of Nanahjee. The local newspapers did not escape the infection. They forgot that as leaders of public opinion it was their duty to

vindicate a people from the calumny of a class, and commenced a paper crusade against natives which is still being carried on with unmitigated rancour. Postal communications remained open long enough after the outbreak to enable the press to peal its fulminations from station to station, till the Christian, the Hindoo and the Mussalman in the North-West became alike tainted with the mischievous matter it retailed out—each according to his peculiar predispositions ;—and private correspondence carried on by cossids completed the work of alienation. European Military Officers—more inflamable than their brothers of the civil service—caught the mania first, the majority of civilians withstood the torrent a little longer, but were ultimately carried pell-mell along the stream ; and Agra would have found no better fate than Delhi, Lucknow or Jhansie had not, on the 5th of July,—when, emboldened by the presence of the Neemuch brigade which had taken up a position almost within cannon-shot distance of the Fort and the retreat behind intrenchments of 3rd Bengal Fusiliers, the scum of the outlying villages were sacking the domiciles of Christians and making a horrible bonfire which approached nearer and nearer like a semi circular wall of fire to devour the station; when the neigh of steeds, the clattering of hoofs, the jingling of swords, volleys of musketry and the hellish yells of the marauders struck terror into the stoutest heart and anounced that the wreck of society was at hand—the reins of power been held by an individual who, striving against public opinion in the Fort, which impetuously urged him to order the demolition of the city, in a magnanimous and exemplary spirit, conformed to the text, "If I find fifty righteous within the city, then I will spare all the place for their sakes. "

But the seeds of dissension had already been widely spread, they had germinated and taken root in men's minds. No amount of fidelity was considered as a safeguard against the attacks of malice. Intelligent natives, when not under surveillance, gave vent to their aggrieved feelings but never desired a change of masters ; the less intelligent not possessing so much forbearance, sympathised with the rebels, and the ignorant masses implicated themselves by the commission of overt acts of rebellion. But the institution of the Agra Militia, like the institution of the Calcutta Volunteer Guards, gave the stroke which destroyed all sympathy

for the Christian. The Keranee Bahadoors after having successfully maligned all classes of natives, so as to persuade the Government to believe that it had no other friends in the country than themselves, proposed to the authorities, that they might be employed as militiamen to guard the city and its suburbs, and orders were accordingly issued to enlist them and to drill them under European officers. Christian men drawing salaries in the civil department from Rs. 15 to 700 per month were exempted from the performance of their legitimate duties and employed as infantry-men and troopers. With laudable perseverance was the goose-step mastered, and the wonder is that officers thought their men required to be taught the practice at all. The platoon exercises were soon learnt and discipline proceeded to such a pitch that on one occasion a private, mounting night-guard over the jail challenged a donkey thrice and then shot the rebel animal dead for persisting to withhold the countersign. The services of the militia in the field were of a type with their garrison duties, and the battle of Shahgunge immortalised the corps. On detached duty the private was all for a loot and in quarters all for a spree. But no one would have envied these good people the enjoyment of their well-earned fame provided their conduct and bearing did not induce a popular belief that the shouldering a musket, or the bucking on a sword was a license for oppression. It was otherwise however when people began to find, that a member of the distinguished body was one day helping himself freely out of the coffers of a Mahajan by threatening to hand him over as a rebel to the military authorities, and that others were another day mercilessly caning a money lender as a thief for property entrusted to him for safe custody being found in his premises; for then they began earnestly to look at one another as if to enquire it this be the corps entertained to keep the peace of the town.

And thus, dear Reader, has a clique, actuated by the most sordid motives, succeeded in kindling a spirit of hostility to all natives as a race, and, as a natural consequence, in engendering in their minds a feeling of passive antagonism to the Christian, whose end and aim they suspect is to proselitise and to oppress. The clique itself has almost secured to itself a social position, and certainly cleared the road to fortune of all obstructions which had

previously to be encountered. The Board and Government are being innundated with applications and places are being given away to men who will soon offer the world practical illustrations of the truth of the proverb, "Set a beggar on horseback and he will ride to the devil!"

XIX OUDE AFFAIRS

(1) THE OUDE DEBATE

It certainly is strange that the formal discussion in Parliament of the merits of a measure so important as the annexation of Oude should have taken place exactly two years after the event. Those two years have developed the consequences of the act in a manner more terrible than its most foreseeing opponents had anticipated. It was not till the annexation of Oudh could be talked of in intimate connection with a great continental rebellion that the highest council of the empire found an occasion to scan its policy. Late however, as the debate has occurred, it was well conducted, and its effects will be beneficial in the extreme. Mr. Baillie initiated it in a speech of great power and lucidness.

He pointed out how the act of annexation was not only in breach of property, but in breach of common sense; not only faithless, but ill-timed and inexpedient. At the very time of the annexation abundant indications of the spirit which has now to be contended with were given by the military classes of Oude, including those in the British Service. "The Governor-General and his Council were in a fool's paradise." The coming danger was not heeded. The act was done, and the British name sunk irredeemably in Indian estimation. The pretext on which the country was seized, namely, the oppressiveness of the King's government, was in Mr. Baillie's opinion "more disgusting than open violence." He quoted high official testimony to prove that there was at least equal misgovernment in the British territories. Mr. Vernon Smith* could not deny that the annexation of Oudh was one of the causes of the mutiny, though he denied that there was a settled policy of annexation. Mr. Smith himself had indeed never ratified from his own lips the

* A Director of the East India Company.

doctrine that the higher morality of bringing the entire Indian population under British rule cancelled the lower one of observing the faith of treaties. He is not personally responsible for the forcible suppression of the native princes' right of adoption. He may therefore say with truth that as regards himself he had no settled policy of annexation. The abuses of the native Government, he said, had become intolerable, rather a bad assertion in the face of such a revolt as there is now in Oude. He referred Mr. Baillie to the "Private Life of an Indian King," in the same spirit as a Chartist would recommend Reynold's Mysteries. At this period of the debate Lord Dalhousie found a defendant. There is one member of the House of Commons whom the reverses of political life had made familiar with the pangs of a broken reputation. Lord John Russel felt sympathy for his brother cripple, and with the sort of courage for which he has been ever remarkable went to Lord Dalhousie's rescue. He concluded, however, with some admirable remarks on the nature of the prestige which alone serves a great ruler in the day of danger. "Substantial reputation, substantial honour" were to be preferred to the "vain phantom prestige."

The speech of the evening was that delivered by Lord John Manners. He brought out one damning fact in connection with the seizure of Oude which we do not remember to have seen prominently noticed before. The defenders of Lord Dalhousie have endeavoured to explain away his breach of faith by assertions that the treaty of 1837 had been disallowed by the Court of Directors. It appears from a letter which Lord Auckland wrote to the king of Oude in 1839, and which Lord John Manners read to the House, that not only was the disallowance of the treaty not communicated to the king but that he was expressly informed that one clause only and that a clause in favour of the British Government, would not be enforced. The fact made a deep impression on the House, in spite of the protestation of the East Indian Directors who were present. The debate concluded with some remarks from Mr. Kinnaird and Sir John Pakington* comdemnatory of the annexation.

Oude is new British teritory not by a lie and a quibble but by

* First Lord of the Admiralty.

the fair right of conquest. The people have tried conclusions with the British Government and found themselves beaten. The title forged by Lord Dalhousie has been nobly redeemed of its foulness by the rebellion. Purged of its original sin and consecrated by fire and blood, the British Government may now challenge the world's criticism of the rightfulness of the grasp in which it holds Oude. It remains now for that Government to organise a policy for the magnificent race it has for its subjects in that region such as may redound to its honour and such as in future days of trouble may draw to its aid the same zeal, loyalty and courage that have so recently drawn legions under the banners of a captive kings.

(2) THE OUDE PROCLAMATION*

The rebellion in Oude has throughout borne a character different from that of the insurrection in the rest of Upper India. Had the opposition which the people of Oude have been waging against British authority since June last been commenced seventeen months earlier, it would have been emphatically a war of Independence on their part. They were not born in the allegiance they repudiated nor were their wishes consulted when it was imposed on them. They have been fighting for their hereditary sovereign, and their hereditary laws. They have not even sought to ally themselves with the rebels beyond their province. Nanah Shaheb tried in vain to obtain a footing in the councils of the Oude insurgents. Their case therefore stands isolated amidst the flood of rebellion from which Upper India is slowly emerging. It has accordingly been taken out of the general mass of questions and dealt with separately and independently. The time chosen is the fittest for the act. The capital of Oude had been taken, many of the leaders of the insurrection had been killed and the rebels had lost their spirit. The Governor-General's proclamation is to be found in another column.† It offers, under the circumstances the best solution of a difficult problem. To reward the faithful so as to signally mark the value of fidelity, to punish the guilty so as to leave a lasting impression on the minds of the people, and at the same time to inflict no unnecessary miseries on a deluded

* *Hindu Patriot*, April 29, 1858.
† See *post* App I.

population ; to reconstruct society upon a new foundation ; to place the government under a new guarantee ; to open the way for great social improvements ; to induce the readiest submission to authority, were tasks not more desirable than difficult. We believe all these objects have been achieved by the measure now under notice. Less than life and honour could not be offered to those who, having once accepted a sovereignty seek to throw it off.

So far the punishment of the Oude rebels cannot be deemed unnecessarily severe or in the least degree unjust. A question has been raised, however, whether the declared consfication of landed rights is practically enforceable. Those who view it so forget that the declaration is bounded both in terms and circumstances. It is no more possible to carry out a sentence of death against five millions than a sentence of expatriation. The Government, we opine merely wants to enter the field unfettered. Oude shall be for its people, but in a fashion suggested by revolutionary experience.

(3) THE OUDE PROCLAMATION*

The collision between the Governor General and the late President of the Indian Board was as unnecessary as it was undesirable. From the moment that Lord Ellenborough took the Government of India to task for not adopting the very measures which the next mail showed had been taken, to the date of the despatch counselling an amnesty for the Oude people, a remarkable coincidence seemed to prevail in the views and sentiments of the two noblemen. On the great question of the time they were perfectly agreed. Both were in favour of what has been styled the policy of conciliation. Lord Ellenborough was probably more strongly in favour of that policy than Lord Canning ; but the latter had taken the initiative to introduce it, and was no unwilling agent in carrying it out. In circumstances such as these, and looking to the necessity of united counsels, and a strong local Government, it was hoped that the two noblemen would sink their differences as partymen, and, each supporting the other, conduct the Government of British India out of its present perils and difficulties. The hope has been frustrated, and the nation charges Lord Ellenborough with causing the disappointment.

* *Hindu Patriot*, June 17, 1858.

And it has been a grievous disappointment. Few English statesman have studied the character of the people of India to greater effect, and few have better understood their wants and position than the late President of the India Board. To an intuitive perception of the peculiar traits of Indian thought and life he joined a large hearted toleration for those traits. He had selected Akbar for his model, and so far as his position and circumstances allowed he did not aspire to imitate that great ruler in vain. We were not amongst those whose admiration of Lord Ellenborough ran so violently high this time last year, and we shall never be amongst those who deny him place in the first rank of Indian statesmen. We consider his secession from the India Board a misfortune. And it is, moreover, a misfortune that might have been averted. There was no necessity for it. There was haste in forming the conclusion laid down in the Despatch of the 17th April,* and there was harshness in the language in which they were communicated. No one will agree with Lord Ellenborough in his opinion of that language; undoubtedly he could have made it, as he said in the debate on the affair, more pointed; but such as it was, it was enough to ensure the resignation of the Governor-General. The style in which the despatch is couched could not be received by the Governor-General without feeling an instant obligation to resign. Far less did Lord Ellenborough's mode of explanation in the House of Lords† leave room for a reconciliation. The impetuousness of his temper betrayed him into a position in which he found his own resignation the better alternative. A little more self-control would have prevented matters from coming to this pass. The author of the three last paragraphs of the despatch we are speaking about could ill be spared from the helm of Indian affairs at this time.

Lord Ellenborough could scarely have misapprehended the purport of that part of the Oude proclamation in which the private right of property in land is confiscated to the British Government. The general confiscation was an event prior to that of Lord Can-

* For Despatch, see Appendix II.

† This was in the course of a debate in the Lords on Lord Shaftesbury's motion that the House regarded with regret and serious apprehension the sending of such a Despatch, as such a course would prejudice the British rule in India by weakening the authority of the Governor-General and encouraging the resistance of the rebels still in arms. The motion was lost on Lord Ellenborough taking the entire responsibility on himself.

ning's date. The settlement* introduced after the annexation was in itself an act of confiscation more complete than that decreed by the open-faced declaration of Lord Canning. The despatch itself does not overlook the fact. It is admitted that the settlement affected ancient rights and was therefore unpopular—therefore a cause of rebellion. Had it been maintained, that cause would have operated as a source of perpetual discontent. But how could it be set aside? But two years ago the faith of the British Government was pledged to the measure. How to get rid of the obligation? The reconquest presented an opportunity to retrieve past errors such as could not occur again. Did Lord Canning act less wisely than conquerors of old in availing himself of it?

The confiscation was the act of Lord Dalhousie. Lord Canning has reinstated ancient rights.

(4) THE VOTE OF CENSURE†

All's well that ends well;—and the long debates which followed Mr. Cardwell's motion‡ for a vote of censure upon Lord Derby's ministry have undoubtedly ended well. The movement, begun in a spirit of faction, was in its progress eminently useful in drawing forth the merits of most important public transactions, clearing up misapprehensions respecting many contested questions, and definitely settling the position of the parties engaged or involved in the struggle. We now know what the Oude proclamation meant, what Lord Ellenborough's depatch intended, and what either did not do We know how far the local authorities supported or opposed Lord Canning's measure; who is morally as well as politically responsible for that measure. We now know what are the mutual relations between the Governor-General, the Cabinet and the Opposition, and what the probability is of their respectively maintaining their posts. In the manner of its close the movement has done still more good. It has strengthened the position of a ministry able and willing to do much good; it has dispelled all those doubts and anxieties which are generated when the Government is in an uncertain position, and

* See note *post* p. 60.
† July 1st 1858.
‡ Cardwell was one of the most prominent Peelites. The motion was on the Despatch of Lord Ellenborough disapproving of the same. It was withdrawn, Lord Ellenborough taking the whole responsibility.

which hamper or paralyze social exertion on every side; has, after affording the Government of India a fair and full opportunity to clear up the vague and misty misgivings which hung upon its conduct during a season of unparallelled difficulty and importance, vindicated that conduct and placed it above the reach of low cavil. It has, after furnishing the public with means and opportunities equally fair and full to canvas the merits of the Indian administration enabled it to arrive at just conclusions upon that momentous topic.

This has been the second great debate on the Indian revolution since it commenced. As then, so now, India, its people and its rulers were, as it were, put on their trial. On both occassions the verdict passed was such as does honour to the wisdom and magnanimity of pariiament. There was a spirit of candour and self-examination which only the British senate could manifest and afford to manifest. There was not that sweeping condemnation of an alien race which local experience had in some measure led and prepared us to expect. There was the same strong desire expressed on both occassions to bring back by moral force the people to their allegiance, to look deeply into the causes of their disaffection and to remove those causes. And if the debate of May 1858 exceeds that of June of the preceding year in distinctness and force, it is because events during the year have more clearly developed facts. Then it was the question of correction or conciliation. Now it was, as happily expressed by Sir James Graham,* that of confiscation or amnesty.

The motion was undoubtedly a factious one. All cause of censure had been obviated by the previous resignation of Lord Ellenborough. Hallam and Macaulay were, however, laid in contribution for constitutional maxims implicating the entire ministry in the offence of writing and publishing the obnoxious despatch. Now what did these maxims amount to? That every member of a Cabinet was responsible for the individual act of every other member? What then becomes of impeachment? It is meant that the consequences are to be shared in common as far as the loss of office is concerned; but that pains and penalties beyond that attach to individual misconduct; it is proof that the principle of

* A prominent parliamentarian and powerful debater; was member of arliament from 1820 to 1861; and Home Secretary in the Peel Ministry of 1841.

limited liability is not wholly unknown in the political copartnerships called ministries. The true guiding principle in these matters is the principle of party honour,—a vague phrase at first sight, but in practice a very efficient and sound rule of action. No cabinet should sacrifice a member under circumstances which would give the sacrificed minister cause to complain of the behavior of his colleagues. In the present case not only does Lord Ellenborough not complain of their conduct, but offers a sacrifice of himself on purpose to absolve them from all responsibility for his act. As to the rest, Mr. Cardwell belongs to a sect of politicans who are already feeling the miseries of officeless life, and who see that their only chance of acquiring office is again to coalesce with either of the two great standing parties. They are not to be charged with inattention to their own interests if they should prefer to side with the Liberals. But it should not be concealed from view that the object of the motion was to overthrow the ministry, and it is not uncharitable to suppose that among the eventualites was reckoned a coalition such as followed the overthrow of the Derby ministry of 1852. The country has unequivocally pronounced upon the character of the unseemly contest, and pronouced it a "faction fight."

It is instructive to note the position in which the debate has left the several parties and individuals directly concerned in it.

The debate leaves the ministry in a position stronger than before, at all events in a clearly strong position. It is evident from the importunity with which Mr. Cardwell was besieged on the last day of the debate that the large majority which the Liberals had expected on their side had dwindled away in the course of the discussions. It was thoroughly known that a vote adverse to Government would have sent the House to the country, and that was a sort of errand which a large number of honourable members did not wish to go upon. With the advanced Liberals disposed to fraternise with the Tories it was not sure that Lord Palmerston would have been borne back from the hustings direct to his portfolio by an irresistible torrent of Whig members. The Tories had little to lose and they might possibly have gained in numerical strength. Mr. D' Israeli plainly told the House that he was equally prepared to go to a division or accede to a compromise. The withdrawal of the motion saved the country the infliction of a

general election, many members their seats, the Liberals their imperilled credit, and the nation much of its ease and comfort.

The debate has demonstrated the weakness of the Opposition. Instead of a serried phalanx there were but loose cohorts to obey the calls of many leaders. There is an absence of discipline among them fatal to party success. Old jealousies do not yet seem to have been made up. Certainly Lord Palmerston is less feared after than he was before the debate. Nor has his position been much improved by the virtual coalition of the Peelites with him. We may indeed henceforth expect an Opposition more consistently supported by that erratic body than hitherto; but the accession for the loss of prestige ocassioned by the incidents of the debate.

The public opinion respecting Lord Ellenborough's conduct remains unaffected. The elaborate defences of his colleagues add little to the force of the vindication made by himself both when the subject of his despatch was first brought into discussion and when Lord Shaftesbury's motion elicited another explanation from him. In his latter speech he entered into all the reasons by which he was impelled to write the despatch and to publish it afterwards. We have already stated our belief that his lordship was unduly hasty in censuring the Oude proclamation. How far he would have modified his opinion if he had before him at the time the intimation sent by Lord Canning to Mr. Vernon Smith of his intention to forward an explanation of the grounds of the proclamation, or how far he would have been influenced by the correspondence between the Indian Government and Sir James Outram* are speculations now rendered needless, but it is simply fair to believe that he was carried away by his natural love of justice and his instincts as an imperial statesman to lengths to which fuller information would have pre-

* When the Proclamation was issued, Sir James Outram wrote at once to Lord Canning pointing out that there were not a dozen landholders in Oude who had not either themselves borne arms against the English or assisted the rebels with men and money and that 'the effect of the Proclamation would therefore be to confiscate the entire proprietory right in the Province and to make the chiefs and landlords desperate and that the result would be 'a guerilla war for the extirpation root and branch of this class of men which will involve the loss of thousands of Europeans by battle, disease and exposure.' Lord Canning thereupon consented to insert a clause that liberal indulgence would be granted to those who would promptly come forward to aid in the restoration of order and that the Governor-General will be ready to view liberally any claims which they may thus acquire to the restitution of their former rights.

vented his going. Whatever, however, may be said of his conduct in writing the despatch, his defence as respects its publication seems to have been complete. His is not the policy which would proceed and practise upon the assumed ignorance of the people of India. He would lay bare the innermost motives of their rulers to the gaze of the Indian people. Our readers can not have forgotten the declaration of Mr. Robert Lowe* in the Charter discussions of 1853 that it was essential the people of India should not know there existed a power beyond the Governor-General in India; nor fail to contrast in their true lights the estimates formed of Indian intelligence by the gifted president and the per (?) secretary.

The debate leaves Lord Canning stronger in his position than ever. He has the entire confidence of one party and he has the publicly avowed, even if it be qualified, confidence of the other. The speakers on both sides made it a point to give the Governor-General the credit of having throughout the rebellion pursued the right path, and the utmost alleged against him was that on a solitary occasion he had swerved from it. Matters subsequently transpiring would have led to a contrary conclusion; but even as facts already stand Lord Canning's position is singularly strong. He is trusted of Whigs and Tories and a debate in Parliament specially upon his act has brought to light only further supports to a policy with which his name, justly or unjustly, has been identified.

Lastly, the debate constitutes a triumph of those principles of which we, in our humble way, have been consistent advocates. From first to last, from the moment Mr. Cardwell opened his lips to that in which the cheers of the House greeted the announcement of the withdrawal, the tone of the discussion throughout was one of the fullest and even stentatious sympathy for the people of India. Speaker after speaker rose and vied with each other in the urgency of his demand for justice for India, for mercy to the deluded rebels, for consideration of their wrongs and grievances. The speeches on the Tory side of the House were in this respect such as can not be read by a native of India without his feeling a new attachment and increased respect for his sovereign and the institutions and men through which she governs the empire. Never since

* A prominent Parliamentary figure. Entered Parliament in 1852, later on the most prominent of Adullamites.

the days of Hastings' impeachment to parliament and the sense of the civilized world on behalf of our countrymen. In point of oratorical power some of the speeches on this occasion will bear no unfavourable comparison with those which thrilled the cold blooded Loughborough* and the stage-bred Siddons.† In severer style and with more chastened rhetoric the speeches of Mr. Cairns, Mr. Roebuck and Sir James Graham effectually silenced the Mangles and the Rob Roy Campbells and others who in easier times flutter and buzz over the surface of the parliamentary area. None dared to cant or rant about manly sympathy and Anglo-Saxon prowess and retribution and firmness and stern rule and repression and coercion and Asiatic vices. The great spirit of the senate had been roused, and in no indistinct phrases it made its will known to governors and governed and to the world beside that India shall henceforth be governed for India and through the affections of her teeming millions.

(5) OUR POLICY IN OUDE‡

This is the title of an article in last week's *Friend of India* in which Lord Canning is proved to have been wrong in every thing he has done or forborne doing in respect to the province of Oude—from not resigning his place in Lord Palmerston's government which supported the annexation, to not confirming ere this the possession of every Oude landholder who has rendered good aid. The article sets out with affirming that the merits of the present administration will be judged of from the result of its dealings with Oude. We fail to see the reason why, when a whole continent has been in rebellion, the effect of measures upon a single province and that a newly added one, should be the criterion by which the merits of the general administration are to be judged of. Is it because Lord Canning's act with regard to Oude forms the only portion of his policy which has been misunderstood, ill-apprehended, and has not met with universal approbation in England? Do his political enemies think that this feeling against the confiscation clause will last longer in England than the feeling against "Canning's clemency"

* Later Earl of Rosslyn, eminent Parliamentarian and jurist who sat in the Lords in trial over Warren Hastings at his impeachment and was Lord Chancellor during its later stages.

† Mrs. Siddons was among the prominent visitors at Hastings' impeachment. see Macaulay's description of the impeachment of Warren Hastings in *Essays*.

‡ *Hindu Patriot*, July 29, 1858.

lasted a few months before? Are they in hopes that the future historian of the present administration will at least in this particular endorse the sentiments of the Calcutta malcontents? If they so think and hope, the experience of last twelve months have been lost, utterly lost, upon them. We shall, as we proceed, show the grounds of this conclusion.

The *Friend of India* marshals in solemn order the several short-comings with which the administration is charged by the faction of which he has made himself the organ. It looks a fearful list of charges but the indictment fails from the same cause owing to which so many indictments fail in courts of law. The charges are exaggerated and over-wrought where they are not purely imaginary, —or worse—where they are not mere verbal perversions of positive merits. Pursued though three columns of the *Friend's* rhetoric they terrify the weak served and the assums. (?) They divide themselves under two heads. The first is that Lord Canning, in dealing with Oude before the insurrections did not imitate Lord Dalhousie in his management of the Punjab after its conquest; the second that he has not acted in accordance with the *Friend of India's* wishes. Since the insurrection Lord Canning, it is contended in the first place, ought to have disarmed Oude as Lord Dalhousie had disarmed the Punjab. Lord Canning, it is admitted, acted herein in deference to the advice of Sir James Outram. There is something amusing in the conduct of those who blame Lord Canning for having followed Sir James Outram's advice in the first year of his administration and blame him again for acting independently of his advice in the third year of his administration. But that is not the main question. The question is, could Oude have been disarmed immediately after its annexation with the same ease the Punjab was after the conquest,—or, in fact, without creating the very rebellion which has since taken place. At the time the process of disarming the people was enforced in the Punjab, their chiefs had been killed or taken prisoners or were supplicants for mercy, their soldiers had given up their arms, and the population generally had been humbled by a series of reverses in the field. The country, in fact, had been conquered, and its power prostrated. All opposition had been put down, before administration was commenced. The Punjab, moreover, never contained so many fortified places held by feudal chief-

tains as Oude does ; nor was the Punjabee population so generally armed as the Oude population. The military class in the Punjab, though a very superior class, was a small and select one. The vast majority of the people were peaceful agriculturists who dread commotion and disorder almost as much as the people of Bengal. In Oude, the whole population is inspired by martial instincts, and a sword dangled by the peasant's side while he drove the plough. The Punjab for years before the British conquest had been held by a strong central power which had almost destroyed the feudal influence. In Oude for centuries, the feudal nobles constituted a power superior to that of the king. Nothing can be so opposed to each other as the condition of the Punjab and that of Oude immediately after they were respectively brought under British rule.

The next great charge brought forward against Lord Canning is that he allowed the village settlement* to proceed, which is now acknowledged to have been one of the chief causes of the insurrection, without caution or hinderance. This charge proceeds with extremely ill grace from journal which was once the chosen organ of the advocates of village settlements and which has changed its opinions on that head within the last few months. If Lord Canning on his arrival did not put a stop to the violent interference with landed rights then making in Oude he was deterred probably as much by diffidence in his own judgment as by a British statesman's scruples to retract pledges given by a predecessor. Nothing less than the rebellion which has taken place, and of the occasion of which Lord Canning has with such boldness availed himself, could have justified the measure of putting a stop to the settlement commenced under Lord Dalhousie's auspices.

The third and last charge brought against the administration is that it pronounced confiscation as the punishment of rebellion in Oude. This charge has been discussed in a higher arena than that of Indian journalism and may therefore be left alone. But the *Friend* descends to particulars. He has gathered information to prove that besides the six landholders reprieved by Lord Canning there

* The principle was that settlement was to be made directly with ryots of the village in every case in which Talookdars who held all lands from time immemorial failed to prove a satisfactory title. The result of all this was that in most cases such titles being incapable of proof, the Talukdars were deprived of their proprietory rights.

were four others who deserved similar consideration at the hands of our rulers. Admitted. Does the *Friend* or any other sensible opponent of Lord Canning imagine that services such as those said to have been rendered by Roostum Shah would have been disregarded even if the "interpolated clause," as our contemporary loves to call it, had not been in the proclamation? We are determined to spare our readers another remark on the confiscation clause, but, once for all, we shall ask the virtuously indignant denouncers of that sweeping measure to think of the circumstance that it was not in the nature of things that the authors of the decree could contemplate a general "disinherision" or in fact aught besides a perfect freedom to deal with landed property in Oude as a strong lever of action, for political purpose, upon the affections of the Oude nation.

(6) THE OUDE PROCLAMATION*

Lord Stanley has given to the public the despatch in which the Governor General replied to Lord Ellenborough's condemnation of the Oude proclamation. The document has been universally admired for the dignity of its tone and the skill with which it develops the argument in defence of the measure. There have, however, been criticisms passed upon it which show that the argument has not convinced many who on the issue of the proclamation condemned it as harsh and unjust. It need hardly be remarked that these many are the very persons who have throughout censured Lord Canning's measures with reference less to their intrinsic merits than to party purposes. They are the very persons who condemned the Act for the control of the press, the Act for the registration of arms, the instructions for dealing with captured rebels and rebel villages, the Rohilkund amnesty—every important measure of the present head of the Indian Government since the mutinies broke out. Such criticisms cannot, it is obvious, have much influence over the vast majority of the British and Indian publics, who do not participate in the factious feeling raised by the events last year. We find accordingly that Lord Canning's vindication of the proclamation issued by his soldiers to the chief and people of Oude has been received with the most marked approval by the great body of the English nation. In

* *Hindu Patriot*, November 27, 1858.

this country the personal popularity of the Governor General with the class of natives accustomed to take an interest in public questions, had long ago secured for the act what the elaborate state paper now published has done for it in the eyes of his countrymen.

The despatch generally sets out by adverting to the personal question raised by the Secret Committee's letter. The studied severity of the terms in which the proclamation was condemned and the haste with which the condemnation was published to the world wounded the feelings of the statesman to whom the censure was addressed, and they undoubtedly were calculated to weaken his personal authority with influential sections of the community. Lord Canning's reply to this part of the Secret Committee's despatch is framed in terms which leaves the victory indisputably on his side. "No taunts or sarcasms," says his Lordship, "come rom what quarter they may, will turn me from the path which I believe to be that of my public duty. I believe that a change in the head of the Government of India at this time, if it took place under circumstances which indicated a repudiation on the part of Government in England of the policy which has hitherto been pursued towards the rebels of Oude, would seriously retard the pacification of the country. I believe the policy has been from the beginning merciful without weakness and indulgent without compromising the dignity of government." It is not in the columns of this journal that there is need to insist upon the perfect accuracy of these views. The merits of the policy pursued by the Governor General from the beginning of the outbreak, have now been recognized by all but few of his personal opponents. But fewer still any longer ventures to deny that no greater calamity could overtake the country than the secession from office of the nobleman who conducted the vessel of state through the first bursts of the storm. Had the Governor-General adopted on receipt of the censorious despatch the rash step of resigning his trust, he would have cancelled the merit of his past acts and been justly liable to the grave imputation of having been swayed by a weak and selfish regard for his own ease at a time when his sovereign and his country demanded every sacrifice from one in his position. Lord Canning took precisely the same view of his duty. He felt it his duty not

to lay down his charge because of its onerousness and its difficulty. "Firm in these convictions," he says, "I will not, in a time of unexampled difficulty, danger and toil, lay down of my own act the high trust which I have the honour to hold." The resolution does honour to the man who made it. Yet it was not the ambition of a man who wished to complete the course that would enable him to stand forth in history as the successful guardian of an endangered state, far less the love of office for its advantages' sake that impelled the Governor-General to make this resolve. Naught but stern sense of duty bade him stick to a post with which he had, had he not been supported by a consciousness of well doing, enough of reasons given him to be disgusted. This feeling is not concealed. "If it shall be deemed that that policy has been erroneous, or that, not being erroneous, it has been feebly and ineffectually carried out, or that for any reason the confidence of those who are responsible for the administration of Indian affairs in England should be withheld from me, I make it my respectful but urgent request, through your honourable Committee, that I may be relieved of the office of Governor-General of India with the least possible delay." The personal part of the controversy is dropped with an expression "of gratitude for the generous support, the unreserved confidence, and the considerate courtesy" which the Governor-General has at all times received from the Court of Directors. It would be impossible to condense within the limits of a newspaper article the train of argument by which the policy of the Oude proclamation is vindicated. Nor need it be done. The despatch merely puts forward in terse language and proper sequence the reasons which the debate upon Mr. Cardwell's motion and controversy in India exhaustively drew forth. The Governor-General had in the broad face of day pronounced the confiscation of the landed rights of the rebellious people of Oude; and heavy, unprecedentedly heavy as the sentence was, it did not take the people of India at least by surprise. Not a native of the province had unsheathed his sword with the view of merely extorting a few concessions; not one had persisted in rebellion in the expectation of a compromise. They know little of the Oriental nature who believe that a decree in other terms—and it could be milder only in terms, for the substance as we shall presently show, was as mild

as any that could have been put forth under the circumstances—would have made any impression upon the minds of the Oude chief and population.

XX THE CRISIS AND THE NATIVE PRINCES*

When the Indian Bill No. 3† was read for the second time, Mr. Vernon Smith incidentally asked the House of Commons "how were they to reward those Native Princes who had stood by us in connection with the subject of rewards for services rendered during the mutinies," the importance of which would recommend it to serious attention. The reward of official services will follow as a matter of course, and be regulated by precedent. With reference to the services of Lord Canning in this crisis public opinion in England is almost settled as to the most fitting reward for them. A step or even two in the peerage with a pension are, we believe, secure to him. Sir Colin Campbell has been already offered a peerage and it rests with him to assume the full honour whenever he choses it. A pension to him also will follow. The heroism, devotedness and the noble self-sacrifice of Sir Henry Lawrence and Sir Henry Havelock have been acknowledged by a nation's gratitude in the advancement of their sons.‡ The captor of Delhi and the defender of Lucknow, have been repaid in the approbation of their country-men and in titles and promotion. Sir James Outram has received the full recognition of his deservings and doings in the Parliamentary vote of thanks and the grant of an annuity by the Court of Directors. Sir John Lawrence has obtained his share of public recognition by the late increase to his allowances by the East India Company. Other officers both serving in the field and in the cabinet bave received public thanks and distinctions, and rewards of a substantial nature are in store for those whose turn it has not yet come to leave the heat of public life and retreat into the shade of tranquil honour. Medals and

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* *Hindu Patriot*, September 2, 1858.

† This was the Bill introduced by the Earl of Derby and which was passed into law shortly before this was written. See *post* under the part on "The Transfer to the Crown."

‡ Alexander Lawrence son of Sir Henry and Henry Marshman Havelock-Allan son of Handock were created Baronets in consideration of the services of their father.

clasps have been ordered for the great body of soldiers engaged in quelling the rebellion. Individual sepoys and subjects who stood unmoved amidst the convulsion and deluge of the insurrection have begun to be recompensed for their continuous loyalty and we already see signs of a great movement of rewarding fidelity wherever it can be found. But there is a class whose services, eminent though they were, remain in a great measure yet unrequited. Any one who has closely studied the incidents of the revolt and the history of its suppression will admit that to the friendship, good-will, assistance and devotion of the Native Princes was the salvation of India from the sepoy calamity mainly owing.

" But for the valuable assistance, " said Mr. Vernon Smith, than whom there were few in the House of Commons who could speak with greater authority on the subject, " the efforts of Lord Canning and Lord Elphinstone would have been comparatively useless. The minister of the Nizam, for example, had rendered us the most important services by his staunch adherence to our cause, yet no honour or reward had been granted to him. Major Macpherson had by the co-operation of another native chief been enabled in an extraordinary manner to prevent the contingent of the Scindiah from meeting against our forces until the month of October although it had revolted as far back as July preceding, by which means a formidable danger had been averted from our power at a most critical juncture. Yet the services of these Native Princes still went unrequited " The speaker would have quoted the names of other chiefs whose unswerving attachment and sympathy for, and indefatigable aid, to the cause of the British led British India safe through the dangers that nigh overwhelmed it. Our object is however not to swell the list. Those whose claims to honour and reward we advocate are well known to Government and are before the public. They are the saviours of the Empire, and if the imperial majesty of England fail to requite their unsurpassed services, history will be proud to devote her pages to their glory. But we feel sure that Government does not intend to throw a mantle of oblivion over them. We are certain that the distribution of the petty jaghires resumed from rebels among a few of the native chiefs has not completed the measure of recompense due to the class. It is impossible to conceive that a Governmnt

which has stood a world of reproach and scandal for exercising discrimination and attempt to re-establish the Indian Empire on the friendship and affection of Indian potentates and peoples should be so far wanting to itself as to overlook the debt of gratitude which it owes to its Native allies.

There are even reports that Government contemplates showing its gratitude by some infallible and everlasting marks. It will, however, tax the highest wisdom and statesmanship in Lord Canning and his Councillors to devise the means whereby they can achieve this important end. It is admitted that the native princes have grievances of a weighty character. Their social position is degraded by the surveillance exercised over their proceedings. They are not secure in their possessions or their prospects. They feel that they have been barely tolerated. Now all this must be set right. This is the time for it, and redress on the points indicated will be accepted as a substantial boon. Nor should honours of a more ceremonial character be withheld. Jung Bahadoor has been already honoured with a G. C. B.-ship, but in the eyes of Orientals its chief value lies in that the honour has come from the Queen direct. England has attained a grandeur and importance in Asiatic eyes that Asiatic rulers are proud to receive honours from her Queen. But the Nepalese minister is still a foreigner and what he has received the princes of India may well expect. We have often dwelt in these columns upon the good policy of substituting English titles of honour for Mogul ones in India. The present is an appropriate occasion to introduce the new code as a system. Again, among Asiatics honour is the more honoured when it is bestowed with all the pomp and circumstance of a State occasion, in the midst of the highest officials of Government, and the nobles of the land and in the presence of both the giver and the recipient. It would perhaps be presumptuous to expect that when the traces of the revolt are effectually effaced the reigning sovereign should visit her Indian dominions which have been so often described as the brightest jewel of her diadem. But it may be a thought whether the future sovereign of these realms, accompanied by some ministers of state and a few peers, may not visit these regions and hold a public durbar of all the nobles and chiefs of distinction in India, and in the full blaze of the solemnity, present to the Native princes

of the Indian Empire signals of honor, worthy of their great services and worthy of the donor. The time is eminently propitious for such a visit. The Government has been declared in the Queen's name, and it would be the reciprocal pride of her Majesty and her Indian subjects to meet each other, as it were, personally. We can scarcely conceive of anything better calculated to cement strongly the attachment of the Native princes to the imperial majesty of Great Britain. As an epilogue to this drama there ought to be either the restoration of some important place or the remission of a portion of their annual tribute to such of the princes as are entitled by virtue of their services to a more substantial reward than titular honours. If this plan of rewarding the Native princes of India, we say, is followed, then will be shed a light and glory on England and India which may not improperly be held as the best augury of the future glory and benignity of the Queen's Eastern Empire.

XXI. THE NEPALESE COURT

The state of our relations with the Nepalese Court has, for some time past, inspite of absurd stories and daring conjectures,* been a source of anxiety to thoughtful men. The improbability of actual hostilities ensuing with that state does not mitigate the apprehensions arising from its contiguity to the least settled of the Indian provinces. From the North, the people and the authorities of Nepal will exercise a powerful influence on the condition of Oude. Their cordial co-operation will enable the authorities to effect a pacification sooner than unaided they could do; while their hostility will keep open the sore of anarchy and rebellion for years after it should have healed. A belief that misunderstandings and jealousies prevail between our Government and that of Nepal will keep alive the hopes of the rebels throughout upper Hindustan. It is even possible that the latter state may succour the insurgent cause without risking an open breach. It is therefore of the highest importance not only that peace should be maintained with

* The *Hurkaru* had some weeks previously published a baseless story that Jung Bahadur had withdrawn Nepalese subjects from Darjeeling, built a fort within sight of Darjeeling and was on the point of making an attack on British territory.

our mountain ally but that it should be publicly known throughout the country that the two Governments stand upon the most cordial footing of amity and intercourse.

It is in the view of this necessity that we consider the proceedings of the Governor-General in respect to Colonel Ramsay to be entirely accordant with sound policy as they undoubtedly are with received interpretations of international law. The *Friend of India* furnishes the particulars of the dispute which rested in the withdrawal of that gentleman from the court of Katamandoo. We extract the narrative below :

Lieut.-Col. Ramsay desired of course to accompany the Ghoorka force into the plains. The Nepalese Government refused its consent to the proposition alleging that the Resident's long and thorough knowledge of the manners and customs of Nepal was essential to the maintenance of a warm cordiality between the two powers. Against so flattering a refusal nothing could be said. Lieut-Col. Ramsay remained at his post. Time passed on, Lucknow fell, and Jung Bahadur, Commander-in-chief of the Nepalese forces, sought an interview with Lord Canning. He had formely declared that the aid of his troops was unconditional, that he sought nothing beyond a proof patent to all men of the warm and sincere regard of the Nepalese Durbar to the British Government. At the interview, however, he either referred to or produced some thirty charges against Col. Ramsay, and demanded his removal. The charges were generally of discourtesy and insults to Nepalese religious feeling. The Governor-General informed him that it was impossible to remove a high officer in disgrace without giving him an opportunity of reply. His Lordship, however, asked him whether the appointment of another officer, whom he named, would be acceptable to the Nepalese Durbar. The conversation passed of course through an interpreter, General Macgregor. Jung Bahadur, misled either by this query or by some expression of the interpreter, considered his object achieved and departed.

The impression strengthened when Lieut.-Col. Ramsay was summoned from Katmandoo to Allahabad to explain his conduct. Every Asiatic considers a summons to the Presence equivalent to execution. Jung therefore boasted that he had dismissed the Resident, the greatest proof he could give of influence with the

British Government. Lieut.-Col. Ramsay, however, arrived at Allahabad, at once answered all charges, was exonerated of all blame, and set out for Katmandoo. The Nepalese Durbar peremptorily refused to receive him, asserted that the Governor-General had retracted a distinct promise given through General Macgregor, and even affected to see in the refusal of so slight a request a hostile menace.

In answer to this unexpected sally the Governor-General once more reiterated his disbelief in the charges, his regret that the Durbar and its Commander-in-chief should have been deceived, and his distinct affirmation that no such promise had been given. His Lordship could not consider the demand slight, and repudiated—as he well might—all intention, save those most friendly, towards Nepal. He could not, however, remove a high officer on an erroneous charge and he must therefore be received. Once received, the Governor-General would not continue to force on a friendly Government an Envoy so obviously unacceptable.

The decision of the Governor-General is said to have caused some ill-feeling in the higher circles of official men, and as a matter of course has drawn on it the imputation of weakness. The latter imputation may be left to the chatterers untouched by argument. But it is necessary to note the soundness of the principle on which the decision is based and to point out how different would have been the feeling of the country towards the British rule, had previous Governments been guided by the same principle in their dealings with the native states in, and bordering upon, India. The great source of estrangement between these states and the government of British India has always been the "Resident." His personal demeanour has done more to mould the relationship between states and the government he represented than the interests of their respective courts or the feelings of their peoples. For once these officials have been taught that whatever their merits in other respects nothing will be taken as a set-off against habitual disregard of the amenities of courtly life.

Such a step as the Government has taken would hardly require vindication in Europe. It would have been accepted as inevitable and in the natural course of things. When the Brampton was withdrawn from Washington, no one pretended that it was done to

injure him and no one condemned the weakness of the English Government. It is necessary to the maintenance of international cordiality that an agent who had given personal offence should be withdrawn, and he was replaced. The Government of India has done more. It has insisted upon its representative being received as such, and then recalled him in spontaneous will.

THE DELHI PROCLAMATION

There are perhaps few pages in the Ramayana which commend themselves so strongly to the tastes of well-trained men of the world as that in which the conquering hero sends his brother and lieutenant to the vanquished and dying king of Singal to learn from him some of the maxims of government by which he had raised his monarchy to such a height of power and splendour. We hope the British Government of India will receive in the same spirit of magnanimity and wisdom the document which has been given to the public as the manifesto of the late imperial dynasty. The proclamation was addressed by the King of Delhi on the 25th of August 1857 to the people of Hindustan. The date is of some importance. It was the critical period of the rebellion. The hopes of the rebels were then high and not wholly unfounded. It was a gloomy time for the Government. Delhi was untaken, the greater portion of the army had mutinied and showed an unhesitating devotion to the ancient empire. Nearly, the whole of the upper provinces were in a state of disorganization. The nation had been roused and thoroughly prepared for a revolution. The leaders of the rebellion were convinced that, do what the mutinous soldiery might, the people and their social leaders must be won over if the empire was to be revived. The time had come for a decisive appeal to the sympathies, passions and the convictions of the upper classes. The appeal was made, and as an Asiatic state-paper its merits are of a very high order. A former proclamation whose only effect was felt by the Indian press had been addressed to the people of the continent, and the main argument was the religious one. The one now before us is more cleverly addressed to the upper classes of the population, and sets forth political grievances. The list may be exaggerated in some instances and

incomplete in others, but every one acquainted with the feelings of the nation must admit that it fairly represents them. The great grievance, of course, is the degradation of the superior orders of the people. The great body of zemindars have been destroyed or reduced to social insignificance. Their estates have been sold up; they have been dragged to the courts to be insulted and imprisoned at the instance of "Common Ryots, maid servants and slaves."

The educated classes have been debarred from official power, influence and honours. There is no outlet for military ambition; no reward for military services. Everywhere society has been trodden with iron heels and its leaders have been stuck down. None dare lift up their heads.

The appeal, we believe, never had a large circulation—or its effects would have been disastrous. If it does anything, it exposes the extreme ignorance of the class of administrators who were agreed in the reconstruction of the social system of the upper Provinces during the quarter of a century that preceded the rebellion. Looking to the motives which fostered that ignorance inspite of unmistakable warnings, none will hesitate to pronounce it culpable. We recollect the time when the officials of the North-Western Provinces had the entire command of the press; when it was fatuity to question the virtues of the "Settlement"; when it was a sin to place Mr. Thomason* below any ruler of men. We recollect the time when the Collector distributed lands and justice in the morning from under the shade of banyan trees, and wrote articles in praise of his doings and his happiness in the evening. This journal was perhaps the first which denounced the gross delusion which deluded even the deluders themselves. Of course such warnings could hardly avail with men mad with the possession of power. Lord Dalhousie extended the system to the Punjab, where the previous prevalence of unmitigated anarchy had removed those barriers to the unrestricted play of bureaucratic will which Wellesley's policy had preserved in Hindustan. In the Punjab the system speedily attained perfection, and "Mr. Thomason's system" was discarded for the "Punjab system". Fruit like those which

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* James Thomason—Secretary to the Agra Government 1837-41;—Member of the Board of Revenue, 1841; Lieut-Governor of N. W. P. 1843-53; the author of the village settlement in the N. W. P.

the former has borne are no doubt germinating in the womb of the latter. But bureaucracy is as blind after the rebellion as it was before. A frantic effort is being made to uphold the system from the shock which the rebellion has given to it. It may again be adopted for the whole empire. The Delhi proclamation will be forgotten by our rulers, and bureaucracy will resume its sway. Fresh attempts will be made to "reconstruct society" by means of settlements. The official patriarch will recommend his banyan tree labours and his articles. These things will, we have reason to apprehend, recur. The system will again have sway and will exercise it—until another proclamation issues.

THE ATROCITY-MONGERS AND THE SEPOYS

The *Englishman* of Tuesday last publishes a remarkable letter from a correspondent in the North-West India which in the genuine loftiness of its tone, the candid impartiality which, breathes in every line and the just appreciation of the events of the late rebellion evinced by the writer, may not improperly be said to be of a character that will assist much the English public in their enquiries about the real features of the recent crisis. The writer states with great force the reasons which justify the distrust entrusted by the natives in the acts and policy of Government carried out during the memorable 1857, and does not feel surprised that the distrust should be so deep and strong as to induce them to view Her Majesty's most gracious words of mercy and peace with suspicion. Observers like the correspondent of the *Englishman* could not fail to remark that, however earnest the wishes of Lord Canning, however distinct his Lordship's policy, and however firm and impressive his instructions to temper mercy with justice, to extend every lenient consideration in favour of the rebels, in a word to give an undisguised effect to the first principle of English law that it were better than ten guilty men should escape than one innocent man should suffer, the spirit of the Punjab Government, carrying the rope and the halter to every crime as the only means of expiation, elevated beyond human calculation by the temporary popularity of Sir John Lawrence, its author and adorer, seized with an iron grasp the special commissioners and the mutiny

not long since in your columns the Bengalees came forward complaining of the troops at Dum-Dum having ill-used native women. We all know the naval brigade plundered their countrymen's baggage at Sasseram. The Courts-Martial prove that several natives have been murdered by European soldiers, yet in face of this we find editors of papers and officers of rank coming forward and giving a flat denial to those who have not believed in the universal benevolence of the British soldiers. But such has ever been the case. Sir. S. C. Hobhouse denied that any trooper of the 22nd cavalry had ever been shot by Lord Keane's* order except for plundering. General McCaskill denied that any Afghan women had been violated by his soldiery at Istalif.† Yet officers of unimpeachable veracity declared that the charge was well founded and that they had better opportunities of knowing the facts that General McCaskil."

Much wrath has been spent, many bitter and angry words have been said, much animus has been displayed, and many errors and falsehoods have been circulated *anent* the atrocities committed by the Sepoys. The evidences to the contrary tendered by eye-witnesses of the highest character, consisting of relatives and friends of the unfortunate dead, about whose termination, false melancholy and irritating stories are industriously invented and disseminated as the surest means of protracting the blood-feuds and accomplishing the atrocious end which the authors of these malicious inventions had in view, have already raised an insuperable barrier between the unprejudiced and the true and the brazen faced atrocity-mongers. To the following statements of the correspondent of the *Englishman* which very strongly convict that paper of its alliance with and support of the clique that has done so much to lower the dignity, justice, and uprightness of the British character, we give prominent assertion :

"The painting the natives all black, and the Europeans in spite of their own declarations, their own letters, all white, is

* John, First Baron Keane was the Commander of the Bengal and Bombay columns in advancing into Afghanistan during the first Afghan War 1839, during which War the incident here referred to is alleged to have occurred.

† Sir John Mc. Caskill commanded a brigade in Sir George Pollock's Army of Retribution during the first Afghan War. He inflicted the final defeat on the Afghans at Istalif Sept. 1839.

too absurd. How have so many European officers and European ladies escaped if the natives are so blood-thirsty and treacherous as represented. We state that the ladies of Gwalior were never in the hands of the Sepoys. Why, Lieutenant Proctor was taken from the midst of ladies and shot, and the ladies were not harmed. You state that late Colonel Wiggens* speaks of daily mutilations. Yes, but it is the mutilations by shot and shell, not the mutilations the sepoy-atrocity-mongers speak of. Every one of the atrocities par excellence that has been described so as to admit of its being inquired into, has been proved a fabrication. The free trade axiom proves that in atrocity stories as well as in merchandise, the demand for an article creates a supply. In the Irish rebellion, in the French revolution, in our wars with Bonaparte, the *caterers* of the English, well knowing their appetite for horrors, came forth in numbers, and their stories were greedily swallowed not only by the mob but by the well educated whose prejudices were enlisted against the parties maligned. All those stories have long since been consigned by general consent to the rubbish basket and Goldsmith is placed in the same bench with Titus Oates and Mr. Sayer's veracious historian is deserving of a similar seat. Your young lady too with her incredible narrative and hermetic knowledge of military and her candid confession that lying had become a second nature to her, which ought to have produced some scepticism in her evidence, must I fear be classed with some squires of celebrity."

XXIII. INDISCRIMINATE RETRIBUTION AND THE "ANTAGONISM OF RACE" †

All great convulsions draw out the latent passions of society—all crises are searchers of hearts. In revolutionary times great crimes are perpetrated, and greater heroism exhibited. (It is only when

* L. M. Wiggens an officer blockaded in Cawnpur with Sir H. Wheeler writing for reinforcements said in the course of the letter, "On that date they commenced their attack and fearfully have they continued now for eighteen days and nights; while the condition of misery experienced by all is utterly beyond description in this place. Death and mutilation in all their forms of horror have been daily before us. The numerical amount of casualties has been frightful."—*Trevelyan's Cawnpore*, p. 192.

† *Hindu Patriot*, Jan. 7, 1858.

society is bound by no laws, not its own laws, that the extreme of human depravity and the noblest virtues find full play.) Men who are remarkable all their lives for nothing but gentleness then come out as very fiends. Even the sexes to a great extent change their natures. Those who have studied the incidents of the French Revolution of 1793 need not be reminded that the women manifested the most unquestionable love of vengeance. They will even recollect how a large number of them accompanied the mob when it forced itself into the chambers of Louis XVI and were the foremost in demanding the head of the sovereign and the members of the royal household. It has been the same in all subsequent revolutions in France and in similar commotions everywhere and at all times. Alison in commenting on the diabolical fury of the French during the Royalist reaction of 1815 justly remarks:—"Experience then illustrated the truth, proved by so many passages of history; that when the passions are violently agitated, it is in the softer sex that they appear with the most violence". Virgil never showed his knowledge of the human heart better than when he wrote the line.

"Guarus fureu squid femina possit."

"Women," says Lamartine (Restoration vol. V, p. 429) "women of the highest rank were implacable in their thirst for blood. It would seem that generosity is the companion of force, and that the weaker the sex is, the more is it pitiless. History is bound to say so in order to stigmatize it. Neither high birth, nor great fortune nor literary education, preserved in that crises, more than it had done in many others, ladies of the aristocracy of Paris and of the court from the thirst for vengeance and the sanguinary joys which had actuated women of the most abject condition under the reign of Terror and at the gates of the "Revolutionary Tribunal."

The Indian revolution of 1857-58 has been no exception to the general rule. What occurred in France and all over the world under similar circumstances has been repeated here. At Allahabad and at Agra, the women showed the least pity, towards the flying Christian inhabitants. The fugitives from Delhi met a sullen but a safe reception from the sturdy peasants; but no ladies or children obtained sympathy or shelter in zenanas. Female influence might have saved many at Delhi and mitigated the horrors of the

Lucknow seige, but it was not exerted at all. In the cry for the indiscriminate massacre of the Indian races which was raised by a certain portion of the Europeans in India and the echoes of which may still be heard in the air, the females were the loudest. All writers on society have agreed to give womankind credit for a vast degree of influence over the other half of humanity. At all events the influence of their wives over Anglo-Indians had this time well nigh ruined the Empire. We well remember a number of ladies last year faint at the sight of a stout looking Native Baboo. Another at the Exchange pointed to a well dressed native gentleman and asked her husband if he was sure that that fellow was not the Nana Saheb. A third being certain that yonder nigger with the shawl turban was an emissary of Kooer Sing the gentleman that would shoot him on the spot shall have her hand. We are not imagining romances but relating geunine facts. Miss Leslie represents the great body of the European ladies in India when she gives expression to the following sentiments.

" Raze her unto the ground, palace and tower
White marble mosque and gorgeous sepulchre,
And let the silence of the massacre
Evermore as a cloud upon her tower,
So that the traveller in some future hour,
May say, " Here are the whereabouts of her,
Once India's Empress, whose high name stir
A thousand memories with enchantress' power,
She lies a desolation, for she filled
Her houses with our slain, and took delight
In women's tortured wailings, till Death stilled
(More pitiful than she,) the heart's affright.
Alas ! from yonder sky the blood thus spilled
Seem even now reflected red and bright

We thank a gracious Providence that Delhi has survived even the "aspirations" of Miss Leslie and her sisters.

There is a yet more curious incident in the history of the feelings which the mutinies evoked. The missionaries and clergymen have ever been the protectors of the aborigines. They softened the practical working of the slave system in America, and lent the most hearty support to the cause which Wilberforce and Clarkson ad-

vocated. They have to this day shielded the Red Indian from complete annihilation. They have endeavoured at least to defer the day for the extinction of the New Zealander. It is mainly owing to their efforts that despite the enterprize and adventure of the Anglo Saxon race, there are still traces of Australasian and Polynesian races. It is therefore somewhat surprising, and to us a proof of the weaker nerve of our missionaries and clergymen, that they yielded to the shock imparted by the Rebellion to all, and that they joined, and many of them were foremost, in raising the mad impious senseless cry for an indiscriminate retribution. We do not intend to go over the reasons why the counsel they tendered to the Indian Government was both blasphemous and incapable of being successfully followed, but surely it was the last thing we expected from the ministers of the Gospel. The hatred against Indian colour still exists among them, and the Revd. Lall Behari De has done a service to truth by publishing the fact. We hope the Native Convert's Sermon instead of confirming them in their acquired prejudices or exasperating them the more against our countrymen, will be a lesson to all pious hypocrites, and that they will take it in good part.

In conspicuous relief from amidst the mass of the ministers of the Gospel in India stand a few clergymen of the Church of England. The sermons delivered on the Humiliation day in England breathed for the most part fiery vengeance ; but some there were which essayed in earnest to calm the infuriated spirit. In India the missionaries and clergy in general took up the tone of anger and revenge. A few others manifested a more Christian feeling. The new Bishop of Calcutta is to be found in this honourable minority. Deploring sincerely the antagonism of race which has sprung up in the breasts of Europeans in general, his Lordship in his first Sermon at St. Paul's has endeavoured to stem the baneful torrent. He has given the best directions how Christians may gain real influence over the minds of the Hindu and Mahomedan millions around them, and how above all other means the superiority of Christianity over Heathenism may be manifested. We extract a portion of the sermon :—

" More especially, if the natives of this land ought to see in our general life and bearing that we are partakers of a higher hope and pledged to a purer code of duty than theirs, we should be most careful to show this in all our direct dealings with themselves.

And here every one who loves Christ, and who believes that He came to bring peace on earth and good-will towards all men, must endevour to allay in his own heart and in the hearts of others that unhappy feeling of promiscuous exasperation and hatred, which seems to be one result of the miserable mutiny. It is no doubt easier for a stranger from England, who has heard only the distant report of the atrocities in which marked its progress, to judge them calmly, than for those who were eye witnesses of scarcely parallelled horrors, or at least were near them and all but involved in them, or who have lost their nearest and dearest in a murderous and groundless war. But still we must acknowledge that, however, natural this exasperation may be, it is, like many other things which are natural, most unchristian, and therefore we should struggle against it as against all other temptation, not merely because it must preclude the triumph of Christ's gospel in the hearts of others, but must even check its progress in our own. And this feeling, unless restrained, is likely to deepen into a permanent alienation from all who share the race and language of those who committed these crimes, so to increase that tendency to arrogance and unkindness in our dealings with the natives, to which our circumstances and national character incline us. We must remember that this, like every other wrong action, wrong habit, or wrong feeling, is in truth more injurious to ourselves than to them. A tone of courteous consideration for their feelings is surely consistent with a firm resolution to exact what is our right, while on the other hand the absence of it must produce in them the conviction that Christianity is in name only and pretence, not in reality, a religion of mercy and loving kindness."

Such sentiments, enforced with true apostolic earnestness, and coming from such a quarter, will, we are sure, tell. The words uttered are the words of every intelligent and high-minded Englishman. We hope all Christians in India will make the head of the established church their model and their example.

Another gentleman the Revd. R. Bland, Chaplain of the distant station of Gowhatti, preached a sermon on the Humiliation day from which we are tempted to make the following extract, not more beautiful in language than impressive in sentiment :

" Although no shortcoming nor failing on our part can for a

moment in any degree excuse or palliate the atrocious crimes committed by the sepoys and their abettors, nevertheless it behoves us to confess that all, though in different measures, are full of errors and sins, which require repentence and humiliation, and that none have room for boasting before a perfectly holy and omnisicent judge. Such are men as private individuals, such too, with the best intentions, must the most upright and beneficent Government be liable to be called, seeing and knowing partially and imperfectly. None could have more deligently studied the welfare and improvement of the people, than that of India, none could have been more astonished at the sudden and unmerited insurrection against its authority. Now in order to keep this day without dissembling, let us try and examine ourselves faithfully as in the presence of God. Let us inquire whether we have adequately weighed the national responsibilities incurred by receiving an inheritance of such wealthy and extensive regions? Do the general body of public officers appointed throughout the presidencies devote themselves to their work with deligence and impartiality? Have manifold impediments accumulated to impair the efficiency, and retard the process of officers and courts? Is the sin of perjury allowed to pass unpunished? Have men of trade and commerce preserved unimpaired, by fair and honest dealing, the good name and faith of English Christian gentlemen? Are European communities less careful to set forth by their lives and tempers, in dealing with the natives, that superiority of race and creed which they are wont to assume, than ready to abuse the native character, to ridicule their prejudices, and offend their feelings? Have we generally taken pains to learn their languages, to govern our expressions, and control our actions towards them, and to avoid calling them by reproachful or uncharitable names? Has the system, under which these infatuated regiments have mutinied, been maintained in such efficiency, as was most calculated to preserve subordination and discipline, and concentrate the hopes and energies of junior officers upon the duties of their military profession? What are the recorded opinions of the greatest generals and statesmen with reference to the officering of the Indian armies? What were the observation heard on the road, or the river, or at stations? What were the communications upon this subject which appeared in the public journals? In

dealing with guilty criminals, blood-stained human beings, the thought that we too are mortal men, with germs of evil which can only be subdued by the grace of God, ought naturally to correct our wrathful passions, and induce us to desire, and anxiously endeavour to have punishment inflicted with discrimination. Among the doctrines urged by Christian missionaries among the people of India, none perhaps are more prominent than those which inculcate love even towards thankless enemies. That offences must be punished, and government administered with severity and mercy is incontrovertible, but I regret to hear and perceive Christian people rejoicing in ungodly thoughts of bloodshed and revenge. The attempt to retain possession, of India by the sole tenure of force, even supposing such a course could be possible, would itself, after previous expectations, be a grievous mortification. But what would be the end thereof? Or if Europeans begin to mix up with their retaliation, similar deeds to those of the sepoys, what will be the inevitable effect? The question is, what shall be the future relationship between the English and the people of India? We shall be in the midst of nearly two hundred millions of natives of the country. Mens' foes will become of their own household. To my feelings the serious and temperate conduct of the Governor-General contrasts very favorably with the furious rage of irresponsible individuals, delighting apparently in unlovely scenes and descriptions, which if unchecked, could not fail of stirring up matter for further retribution hereafter. There ought to be a clear distinction between public duty and private feelings. While I abhor the crimes of murder and rapine and perceive the stern necessity of Government visiting mutiny and rebellion with severe punishment, I can not, as a Christian minister, approve of private men finding an agreeable pleasure in what is a painful duty of the state, urging on the execution of the greater and long vengeance, and decrying all measures of clemency as signs of weakness and folly. While Government is acting with quiet energy it is worse than vain for private persons to advocate indiscriminate slaughter and ever-lasting revenge. However we may deplore the necessity for restricting the expression of public opinion, it may be hoped that the restraining the stream of unchristian sentiments which was flowing through the channels of some newspapers, will facilitate a pacification of the country, and

help to foster a better social tone. Even in public chastisement, there are bounds for the measure, and limits for the duration."

XXIV. NON-OFFICIAL MISREPRESENTATION*

England since the date of revolution has never entered into a contest without having a party in her bosom whose amiable business it is to exaggerate her danger, forebode disaster and defeat her aims and misrepresent the administration of the day. The war of the Indian insurrection would have been far more exceptional in its character than it has been described to be if at the present time such a party had not come forth into existence. In one respect, however, the war of the Indian insurrection differs from the generality of the British wars. On previous occasions, there was much misrepresentation, a vast quantity of tale-telling. But it happened that the amount of misrepresentation was usually greater on the side of the officials than of the malcontents. Officials depicted in rosy tints acts and occurrences that, exhibited in their true colours, would have raised a storm of indignation throughout the land. The truth came usually out of private testimony. In the course of the war of the Indian insurrection the reverse has been the case. All the misrepresentation has been performed by the non-official body. The government may have acted and spoken many times upon defective information, but for the deliberate, well-knit, elaborate tissue of mis-statement, for the product of pure invention, we must look, nor need we look very deep, to the epistolary labours of alarmed, disappointed, and malcontent politicians.

That this fact is understood in England, and tacitly acknowledged by those whose interest it is to conceal it, is apparent from the caution and reserve with which the English press receives statements sent forth from India. The petition to the Queen praying for a change in the personnel of the administration has been published only by a journal under the management of the paid agent of the petitioners; and the organ of the expectant opposition has alone spoken of the document with anything like respect. The exquisite

* *Hindu Patriot*, Jan. 7, 1858.

untruth of the matters put forth as facts in that petition are apparent to every eye practised in scanning testimony. There is a degree of exaggeration to be expected in the productions of faction and allowable by the ordinary rules of political morality; but no amount of party spirit would justify "pure invention." When indignant Britons tell their sovereign or their country-men at home that the rebellion extends throughout upper India or that every native is a rebel or that Calcutta was in danger on the panic days or any of the fine and mighty things which give such weight to their petition or complaints, they do not trespass beyond the usual bounds of party misrepresentation. When Moonshee Amir Ali's appointment is made matter of serious remonstrance on the ground of his being a Mohamedan, we can make allowance for the hostility of race and creed. When the safety of Calcutta is credited to the powers of Volunteers we can smile at the mixture of fear and vanity which gave birth to the idea.

But there are feats of invention to which it is utterly impossible to extend any charity. It is not necessary here to recapitulate the stories of plots and conspiracies which for months were circumstantially described in the Indian newspapers, but which had their existence in the imaginations only of the narrators. But in the whole course of mendacity, wilful and otherwise, traceable in the proceedings of the detractors of the Indian government during the last few months, there is not an instance of such gross and malicious lying as that which gave to Mr. J. P. Grant the credit of having released a hundred and fifty of General Neill's prisoners. The statement has been laid hold of by the blood. hounds of the English press as conclusively demonstrative of the badness of the present policy and the incapacity of the Indian administration. A vast amount of political capital has been raised out of it. The report cannot be traced to any source, but we have now the categorical denial of the official principally interested in the matter of the truth of the charge brought against him. Mr. Grant not only denies that he directed the release of any of General Neill's prisoners, but that he ever interfered with any of the General's proceedings or had anything whatever to do with him or his acts.

We have by the terms which head this article implied that the flood of misrepresentation which has set in from India towards

Europe since the commencement of the rebellion takes its rise from non-official sources alone. We are guilty perhaps of having committed some slight injustice in this matter. The report to which we have last alluded must have its author in some civil or military servant of the Government. It was first conveyed by electric telegraph from the upper provinces to Bombay and thence by the same medium to Europe where it was greedily taken up by the Press. The Government of India should not rest contented with recording a simple denial, however complete or satisfactory, of the report, but endeavour to ferret out the originator in order to check even at this late time of day the spirit of mischievous mendacity which has already worked so much injury to its fame and the interest of the people of India.

XXV. ENGLISH OPINION *

It is the genius of John Bull to grumble first and roar around till sufficient time is allowed to him to recover his spirits, and pursue a quiet course of reflection. The surprise and horror with which the Indian calamity overtook England was too apt to throw the most sober-minded and cool-hearted Englishman into an hysteric convulsion of fear and threat, menace against the authorities who were the unhappy messengers of such ill news, and those who had the sad duty of to appoint such messengers. But hours run apace, and slowly, though the slowness was too painful to calm down the exasperated feeling of the English community, the time glided away and things assumed a better aspect. The fall of Delhi was a mere question of time and the re-entry on the grand fee-simple of the Eastern possessions of England was certain beyond the shadow of a doubt. The nation was determined first to put down the insurrection with the strong hand of power before it took to enquire into the causes of the disgraceful mutiny. The resolve was as noble as the source from which it sprang forth. The truly statesmanlike speech of Mr. Disraeli on the Indian question was only a little too early for the imperial consideration of the British Parliament, but its destiny stands as high as were the

* *Hindu Patriot*, Jan. 7, 1858.

grand principles of legislation and administration enunciated during the course of its delivery. As soon as the intelligence of the Meerut mutiny and the massacre of Delhi reached England, the English mind was seized with a fever which burned till it was assuaged by the cheering news of the fall of Delhi. This was as natural as it was historically true in result though a contemporary, *The Friend of India*, may taunt us with an ignorance, with which he complimented by no means an unimportant section of our countrymen—we mean that distinguished body who presented the late congratulatory address to the Governer-General.*

The Parliament has met by this time and we doubt not met amidst a storm. Of course with the fall of Delhi and the relief of Lucknow, the Indian, and with it we hope the Parliamentary, crisis has passed; and the long tale of brilliant successes achieved by our gallant Commander-in-Chief and other heroes in the Indian field will loudly tell the triumphant march of the British troops into the strongholds of the Mutiny. The cruel thought of the nation that India was about to slip from the hands of England has settled into a calm rest, and we read in the numbers of the English journals received by the last opportunity a language of quiet confidence in the permanence of British authority in India. The tone of the chief organs of public thought of Britain has changed much, and men are now beginning to think with that moderation and coolness which must ever guide the governors of the wills and opinions of so important a nation. The *Times*, though commonly honoured with the surname of the leading journal, has however fallen far behind of English spirit and English inspiration. It panders to the thoughts of a low section of the English community, which will never govern India either through the Imperial voice or Parliament or the voice of that mighty engine which acts the *imperium in imperio* in England. The press, the organ of conservative thoughts and the jealous advocate of Indian reforms not so much on pure principle as from party zeal, has been a constant supporter of native rights throughout the struggle to a wholesome extent. Its insolent spirit in Indian matters had exceeded the

* *The Friend of India* had ridiculed the idea of those who thought that the fall of Delhi practically dealt a death-blow to the Mutiny.

bounds of propriety during the hottest season of the Sepoy refraction. The *Saturday Review*, the weekly digest of the best thoughts and deepest views of the country, has loudly declared 'why in the world should an "open" council of resident Europeans pretend to govern India.' "What right has a man," we quote the same journal, "to rule an immense and populous country, because he happens to have selected it as a field for speculation? Is an adventure in indigo planting or an expedition to a hot latitude in search of briefs to entitle every chance Englishman to a share in the most prodigious oligarchy which the world will have seen? Such a Government . . . would mismanage because it would be too busy with its commercial speculation, it would job because its interest in India would by the assumption be sordid and personal, and it would owe to the mere privilege of race an unnatural authority which it neither deserved nor has". Let the gentlemen of the Indian Reform League ponder over these lines—lines which should form matter of serious weighment for every European venturing to speak or write on the Indian question, or blindly giving an undue preference to the superiority of race, if there is any predominance in the Government of the country. The *Economist* is decidedly for the millions of India, and the *Morning Star*, though the speaking trumpet of the independent Britons of India, does still recant its creed among the thinking portion of Englishmen for the many bitter sayings it has of late given currency to against the natives of this country, for we have received by the last mail a note from a highly respectable Englishman, cherishing a sincere love for our land, strongly assuring us that such is the strange fact. Does not this indicate a reaction as complete as it is triumphant?

XXVI. RETRIBUTION *

There is pleasure in noting the gradual subsidence of that dark surge of unreasoning anger which the atrocities perpetrated in the earlier course of the mutinies had called forth in the breasts of a portion of our fellow subjects. Feelings which at one time threatened by their violence to do irreparable injuries to Indian society

* *Hindu Patriot*, January 21, 1858.

have settled down into a spirit, stern, but calculating, of justice. The periodical press which helped to heighten the fury of those feelings has perceived the error of its conduct, and been slowly endeavouring to imitate the calmer attitude of society with a show of as little inconsistency as possible. Much injustice has been committed, many an innocent life has been sacrificed, many an innocent home has been destroyed or desecrated. But those are consequences inevitable of such events as have just passed over us. Many a guilty man, many a house which sheltered villany or was the scene of unspeakable outrages have on the other hand also escaped the visitation of merited punishment. What is passed cannot be recalled. The time is certainly now come when the task of punishing the offenders should be entered upon systematically and in the spirit of pure justice. We have a basis for this system in the fact that the constitution of Indian society affords peculiar facilities to the tracking of crime. We infinitely prefer this mode of systematic detection and punishment of crime to the indiscriminate gratification of revenge, not only on the grounds of abstract equity, but on those of expediency also. We can conceive of no mode of permanently impressing the minds of the natives of India with a deep sense of the power and the justice of the British Government so effectual as that of setting into operation a system which shall continually drag out from concealment the rebel-criminals of 1857 and subject them to merited penalty after years and years. The sight of a system so operating, making punishment certain on the crime and ensuring safety to the innocent, will strike the native mind with an awe and veneration which the pursuit of blind vengeance can never engender. What is now necessary is to determine the leading principle on which punishment are to be apportioned to crimes. The Draconian code of punishments is not more to be valued than Herod's law of evidence.

We believe we give expression to a feeling not exclusively Asiatic when we say that the crimes of deeper dye committed in the course of these mutinies should be punished with something more than death. Justice would be defrauded of its due if in these cases, to the deprivation of life is omitted to be added some infliction that may be called and would be felt as torture. Civilization in its most refined form will not condemn a sentence of that kind. What is so

forcibly suggested to every healthy mind, whatever be the degree of its cultivation, can not be wrong. To the active agents of general massacres also, death should be presented in a form more terrific than it is made to appear to the ordinary murderer. Appropriate punishments may also be devised for acts of less criminality. But mere rebellion should be held the least heinous of these offences. Rebellion, widespread as the miseries and sufferings caused by it, is a crime of peculiar kind to which the politics of the most barbarous ages and climes have extended a certain measure of leniency. It is growing to be a fixed principle of civilised law that political crimes should not be capitally punished; and simple rebellion is but a political crime. It may be necessary to the security and well-being of the commonwealth that the leading spirits of a rebellion should be removed from the face of the earth; and in their case only would rebellion appear to merit the extreme penalty. But for their followers a milder doom may be reserved in perfect accordance with justice and policy. Ignorance should in their case be allowed to plead palliation. Lastly where, as in the course of the last few months it has in numerous instances occurred, an act of rebellion has been accompanied by a generous treatment of those of the dominant class who had fallen in rebel's hands, where the laws of chivalry and honour have been observed, the punishment may be confined to property; and under peculiar circumstances such acts of merit ought even to ensure the free pardon of the offender. Let us apply this last principle to the circumstances of the present rebellion. Suppose a native chief has joined the rebellion, acknowledging the king of Delhi for the Emperor of Hindustan, bearing arms in the rebel cause, and waging open war with the British Government; suppose we say, a rebel so compromised should be proved to have saved a dozen European lives or protected European females from outrage and to have deprived no European of life except in open combat in the field;—to such an offender, we contend, clemency may be extended not only without violating justice and expediency but with the most perfect accordance with them. Were it to go forth that the saving of a European's life is an act of merit so great as to outweigh rebellion itself, the respect paid to Europeans and the value of European

life in native eyes would be incredibly enhanced, and the "future position of the European" would be better secured than it would be by eternity of lectures and leading articles.

XXVII. REACTION IN ENGLISH FEELINGS*

Without any information of real importance or interest the last mail is valuable in one respect. The papers it has brought out, though principally occupied in codifying and constitutionalising for this country, sufficiently indicate that the violence of English feeling on the Indian question has at last subsided. Writers and orators, editors and mobs, have a good deal changed their opinions and after having hurled down the Hindu below the Zoophite have begun to admit that he has some other things in common with all humanity besides the "form erect". Now that the frenzy of vengeance, which the suddenness and apalling nature of the calamity caused, is over, men have returned to a position to judge. Retribution, stern retribution and signally stern retribution are still talked of by the *Times* and its like, but the better class of writers and thinkers rather think how a recurrence of the misfortune may be averted rather than the injury avenged. The tide of reckless misrepresentation has been arrested. Sir Colin Campbell's letter to Lord Panmare which has shown the falsity of the story of the misunderstanding between himself and Lord Canning so industriously circulated by a certain class of Indian correspondents has brought distrust upon their statements, and ere long Mr Grant's telegraphic message to the Governor-General will give the finishing stroke. The fact of the native zeminders and peasants alike having, in an immense majority of instances, sheltered European ladies and gentlemen at the risk of their own lives and all, has, notwithstanding the effort to suppress it, begun to appear and shamed thinkers like the *Leader* who in the atrocities of the sepoys affected to find an universal scientific argument against "vegetarians". The good work has commenced, and before many months will have passed away we distinctly anticipate mankind will reapply the epithet "gentle and suffering" to the natives of this country and once more

* *Hindu Patriot*, February 18, 1858.

agree in the portraits drawn of us by Bishop Heber and James Wilson.

The abnormal feeling of vengeance has been qualified to a great extent by the successes which have everywhere attended the British arms; but the complete reaction is principally owing to the exertions of a great English party, now unpopular indeed, because uncomprehended, but embracing within its bosom the only thinkers of Great Britain. When all on a sudden all Europe was startled by the news of the excesses of rebellious soldiery and nature and humanity thirsted "for blood", when Mr. Bright and other members of the Peace Society yielded to the universal cry and even Lord Shaftesbury proclaimed indiscriminate vengeance it required more than silken heroism and ordinary moral courage to stem the tide of popular clamour and calm the exasperated multitude. That the Tories and their leaders did, and for that at least our nation is grateful to them. They have not yet forsaken the work of pacification. An influential Tory M. P at the seat of a Tory university has recently expressed what every sane man believes to be the true general policy for India.

"Recent events had imposed on England a duty of no ordinary magnitude. He believed if they ransacked the pages of history they would find it a duty that was unparalleled in the history of the human race. They were called upon to govern nearly 200, 000,000 of people, alien from our religion and from our laws, and to establish among them a policy worthy of the name of England. He would not fatigue them by referring to all the difficulties that would arise in the accomplishment of that great undertaking, but there are two things which he was sure would command the approbation of all Englishmen as the basis of our policy. In the first place, that it was the duty of all Governments and should be their chief object, to promote the welfare and prosperity of the country and the people who lived in it (cheers); and, in the second place, with regard to the subject of religion, that while on the one hand they should not attempt to propagate our pure and holy faith as Mahomet propagated by—that was by force and sword—while they should scorn the base policy of attempting to preach a hollow and hypocritical profession of our opinions by base and unworthy influences, so, on the other hand he believed that justice and mercy

and truth were the essential attributes of every wise and just government, and were attributes also which were inseparably connected with the religion which we professed. And it was in that spirit of justice, of mercy, and of truth that the government of Queen of England over 200,000,000 of an alien race must be administered. (Loud cheers)."

XXVIII. ENGLISH OPINION AND INDIAN FACTS*

Considerable time must elapse ere a correct estimate of the causes of the mutiny can be arrived at, an impartial view of the facts of insurrection can be formed, or the real character of the events of the revolt can be ascertained. A good deal of contemporary prejudices must be given up, much of the public indignation and irritation consequent on the harrowing tales of horrible atrocities must be assuaged, race pride and race hatred must be soothed, before the English public can, with a becoming calmness and impartiality, approach the facts of rebellion or can conceive the true policy which England should adopt towards India. But that the English public is surely, however slowly, retrieving the errors of conception and opinion with which it had stultified itself by yielding a too implicit confidence in the tales of sepoy atrocities and outrages diffused by the local European community of India, is amply evident in the signs of the times. Led by the light of knowledge it has at last found out that "Canning's clemency" was but a mythical creation of the disaffected brains of the Calcutta European malcontents, that the story of Mr. Grant's liberation of 150 sepoys was the invention of discontented editors, that the disagreement between Lord Canning and Sir Colin Campbell was the product of the desperate efforts of the same pliant agency, that the 'pandyism' of the local Government of India was a charge without import or one grain of truth, and that all the versions given by the Anglo-Indian public of the measures of the Indian Government adopted at this crisis are the exaggeration of selfish and interestedly inventive minds. The facts of the mutiny are also beginning to be rightly understood. In a well written

* April 15, 1858.

letter to the *Times*, Judex, who was himself present at Kurnal, Meerut, Amballah, Delhi, Cawnpore, Agra, Allahabad and Benares during the insurrection, as he confesses, and who has published his opinions on the causes and events of the rebellion, after a close investigation and mature deliberation, distinctly tells the public that the "stories" we hear of torture, dishonour and persecution said to have been committed by the sepoys are not to be "heard at the spots to which they have reference," that they are "at best somewhat second hand," and he adds "therefore we know that *prima facie* there has been a large range of invention and that these stories must be carefully sifted." We had believed ere now that nurtured, as they are, in a hot climate, imagination finds its highest scope among Eastern peoples. But the Indian mutiny has demonstrated that exaggeration is not limited to the natives of Oriental countries, but that Western nations are as much prone to be imaginative and find as much delight in the horrible and the marvellous as those living on the line. But, as Judex says, if we really wish to get at the truth that they are very rapidly reduced and coming, as the following remark does, from such a lover of truth, we hope our English readers will bear with us in our joining with perhaps the best expositor of the facts of the Indian rebellion that has yet edified the public, "I again most distinctly and emphatically express my belief," says Judex, "founded on most extensive enquiry, made with no prepossession either way, that by far the greater part of the stories are absolutely unfounded." We know what risks we ran at the time by expressing our doubts about the veracity of the versions given by the news-writers on the spots of the various events of the rebellion. More than once were we put down as rebels and advocates of rebels, opposed to the real interests of the country and hostile to the success of the British arms in the mutinous districts. But time shows and will show that the Volunteer Guard or the Indian Leaguers were not right, that the English papers of India did not speak the truth, and that the Anglo-Indian public did not heed the truth. If we have erred in our estimates and judgments of the events of the mutiny, we have erred rightly, for we have viewed them as the great men at the head of the administration have viewed and whose views, *Times* justly observes, "will be every day more and more fully appreciated." Both

Judex and *Times* agree that the true policy of England is not to alienate the attachment and the sympathies of the people of her Imperial dependency in order to promote the selfish interests of a few resident Britons there, whose deliberate conduct at this crisis has been to weaken the hands of Government and to sow dissensions between the Governors and the people. If there is any significance in those soothing words, the "mission of England" in India, we believe that the mission cannot be fulfilled by such men as Mr. Peterson* leads or such a community as the *Friend of India* or the *Dacca News* cater for. With elevated principles as those of Lord Canning's government united with a wholesome ambition to benefit the people of the country as professed by the East India Company (vide their recent petition) can Englishmen approach their mission with success and honour. Happily for us the tide of public opinion in England has commenced taking such a course, and the popular impression is that they have been deceived in the information with which our countrymen in the East have treated them regarding the Indian Mutiny. It is therefore that we wish success to the petition of the Company which prays for the postponement of their trial, for, by the lapse of time, will come a flood of light which will disperse the darkness now hanging about the Indian question and clear the course of England's policy towards India.

XXIX. THE ATROCITIES AND RETRIBUTION†

The reaction in English opinion on the subject of the atrocities alleged to have been committed by the insurgents in India and the retribution to be dealt out to the people of India in consequence can not surprise those who have studied the English character to any purpose. The harrowing tales of massacre and of crimes worse than massacre which were circulated with the first accounts of the mutinies were received with an avidity truly morbid, and men of refined sentiment dwelt upon minute descriptions of horrors with feelings not exclusively of the indignant kind. The stories were exported for the

* Of the *Times of India*.
† *The Hindu Patriot*, May 6, 1858.

English market with all the colouring that Calcutta imaginations of those heated times could impart to them England received the intelligence with astonishment and in irrepressible rage. The nation was transported with anger against a people who treated women so as to make them infinitely prefer death and who bayonetted children. The troops who came out to reinforce the British army in India came out saturated with the national spirit of vengeance, and soldiers in the rank talked openly of their mission as avengers of England's disgrace not as supporters of the British Indian Government. The great organs of national opinion prompted revenge in kind. We all know that these promptings were not in vain. Wild justice had full play; discrimination between the guilty and the innocent became a word of reproach. It was enough to look like a sepoy or to inhabit a village close to any one of the scenes of mutiny or lying on the way to it to be condemned to the halters. The appointment of a civil Governor to administer the affairs of the provinces recovered from the insurgents was deemed an act of weakness. A set of rules which merely afforded the chances of a trial to suspected persons were denounced as emanations of maudlin sentimentalism. The government became an object of virulent attack for maintaining that the people of India at large had not risen, and that in these troubled times concession was due to their feelings. English officers wrote to their homes of their exploits in sabreing wounded and sick sepoys. Exeter Hall preached fire and sword.

The publication of the Governor General's order dated the 31st July first drew a suspicion upon the British mind that the work of revenge had been overdone. The *Times* abused it, but the thought could not help occurring to many people that a number of English officials could hardly have interposed to check wholesale executions and conflagrations by authority had there not been some excess in the retributive proceedings. Doubts began to be entertained about the accuracy of those circumstantial stories of outrage and mutilation which had fed prurient minds and supplied unimaginative editors with eloquence. The upper classes of statesmen and thinkers in England who had refused to join in the cry for unreasoning vengeance now began to exert their influence. A disposition was generated to enquire into the truth of the matter.

Months had gone by and not a particle of proof had appeared in support of the tales. English people, of course, could not be expected to know that the Hindoo sepoy—whose ascendency over other classes of the insurgents was maintained throughout—incurs loss of caste as surely by the commission of the crime imputed as by eating beef, but intelligent Englishmen knew by history that a religious war invariably partakes of the character of a war of extirpation, and thence judged that the massacres could be only sudden, complete, but not preceded by acts of beastly ruffianism. English officials in India made strict and searching enquiries at the very scenes of the alleged atrocities, and found no evidence. They found, moreover, that the stories assumed shape and form in proportion to the distance where their scenes lay. Not a single sufferer made appearance. Doubts began to deepen. The vociferous babblers about "sepoy atrocities" were challenged to produce some proof. Their fate is symbolised in that of Lord Shaftesbury in his correspondence with Mr. Hargreaves. A debate in Parliament remained to complete the discomfiture of the blood and scalp school. Mr. Rich's motion afforded the occasion for one. Not one member could bring forward a proof of the charges that had been brought against the Indian race ; while the case as regards undue severity in the punishment of various sections of the Indian people was completely established. The case of the Rajah of Bullubghur was instanced by Mr Buxton. It was a most unfortunate affair. The Rajah had given protection to European fugitives from Delhi. He had at first manifested no sympathy with the rebels. But he was too near the head quarters of the rebel army to escape. He was compelled on pain of death to furnish the rebel with supplies and other assistance. It may even be admitted against him that he took an active part in the rebellion when he saw the rebels' force triumphant from Allahabad to Hissar, and that to hold aloof was to ensure degradation if not destruction. Now, we maintain that a criminal like the Rajah did not deserve death. A purely political crime like his should not be punished capitally. Civilized opinion has so decided the question. The punishment of the Rajah of Bullubgurh was inconsistent with general principles of civilized polity ; it was peculiarly inexpedient under the circumstances. From that time every man of note and

influence who had in the slightest measure compromised or laid himself open to suspicion believed that the better alternative was to wage war to the death with the British government. The belief in the country is that had the Rajah of Bullugurh had the slightest intimation of the fate that awaited him he would have died a Rajpoot's death. Cooar Singh returned to Jugdispore declaring he feared nothing, for the British would never be able to take him alive. The fate of Bissonath Sahee of Chota Nagpore was similar to that of the Rajah of Bullubghur. He had temporized from fear of the Ramghur mutineers. "They have hanged the head of Naugbunsees," said a native who understands well the feeling of those districts, "they will not allow the country to quiet down."

History will, we conceive, take a very different view of the facts of the great Indian revolt of 1857 from what contemporaries have taken of them. What the verdict of posterity is likely to be may in some measure be anticipated from the judgments of foreign nations and the revulsion already taking place in English feeling. At no distant date it will be found out that while the "atrocities" were in most instances unreal creations of morbid imaginations, the retributive excesses were sad realities. "Canning's clemency" will then prove the salvation of the English name as it has proved the salvation of many Indian lives.

XXX. THE ATROCITIES *

The simultaneous publication in England of an official account of Europeans murdered in India during the mutinies and of Mr. Layard's speech has again brought on the surface the question of the extent and character of the atrocities committed by the insurgents in Upper India. Painful as the question is to all, we are not sorry that it should so often be brought into discussion. The heavy load of obloquy which was cast on our countrymen when the first accounts of the mutinies were circulated through the length and breadth of the civilized world has indeed been diminished by the labours of industrious truth-seekers; but there yet remains much which justice requires to be thoroughly tested. History leaves it

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* *Hindu Patriot*, July 8, 1858.

no doubtful point whether up to this day Europe or Asia has been the theatre of greater crimes. The universal opinion of mankind had assigned to our nation a character for incapacity for the commission of cruel deeds. When, therefore, it was told to the world that the revolted sepoys in Hindoostan had added to their treachery crimes which the mind shrinks from imagining and the pen refuses to describe, the announcement was universally received with a degree of horror and surprise not equalled even by the announcement of the sudden out-break itself. The tale ran counter to the world's convictions: the Hindoo had been known to be "mild" even to a fault. Why was it then believed? It is a psychological mystery which a deeper analysis of the European mind than we have yet seen made may solve. But as the fact stands we can point to an analogy only. The European and American public so readily believed the tales of Indian horror from an impulse very like to that which made the entire continent of India at one time believe that their sugar was polluted with ground bones and at another that cartridges were greased with cow-fat to promote Christianity.

It would be waging war with all probability to contend that no crimes more atrocious than murder in hot blood have been perpetrated in the course of the Indian insurrection. Even in regular war ruffianism of the blackest die can not be restrained. What then may not have been expected in a civil war in which cold-blooded intriguers and unchained felons have taken so active a part? Let us only calculate what would have been the extent and nature of the crimes which the twenty thousand liberated convicts of our Indian jails would have committed in the quietest times if they had but a week of the license they enjoyed so many months. Indian society contains a criminal class more thoroughly dissociated from the rest of the community than the criminal classes of other countries. And, then, there was the antagonism of the race, a real antagonism fostered on one side by pride which even lookers-on have pronounced to be insufferable. There were the insults, real and fancied, of a whole century to resent. There was the genuine barbarism which still leavens all Asiatic civilization. The scene lay in a land of torture, of subterranean prisons and of female seclusion. There were, it is easy to perceive, ample motives to account for the worst of the crimes which are alleged to have been perpetrated.

It is not denied that such crimes have been committed and marked with a spirit of more than cold justice—of fiery vengeance. The fact is accepted as well as the equity of the demand based upon it. But that is not the question at issue between the two parties who are discussing the question of atrocities. It is contended for by one that the crimes of the Indian rebels are unparalled in atrocity. This is urged by the generation which has just succeeded the warriors of the Peninsular campaign and by the contemporaries of the Border Russians and of the French pacificators of Algeria. The monster crime of Cawnpore will find more than a parallel in the published and suppressed records of the crime of every civilized races. We shall cite but one instance from the black record. Throughout Marmont's progress in Spain his foraging parties had orders to bring into camp all women they could lay hold of between twelve and thirty years of age. And if such crimes have been perpetrated in times and climes the most civilized since the beginning of the world, it is needless to ransack the history of older nations and earlier races. Again, it is urged that murder, rapine and crimes worse than murder, have been perpetrated in the course of the Indian rebellion on a scale far greater than in any other war or rebellion. The single instance of the insurrection in Lavendee is enough to settle this point. It has been urged that the treachery of the Indian murderers in offering hopes of escape to their victims, and then destroying them, has no match in doings of other rebels. We shall again cite strictly modern history, and point to the fate of the fugitives of the first French revolution. We may thus go through the whole catalogue of crimes alleged and proved against the rebels of India, and prove them neither to be unmatched nor unsurpassed by the deeds of men elsewhere. There is, it may be said against us, small consolation in this. We confess it, but the accusation against India goes to the extent of pronouncing the entire race to be surcharged with vileness and exceptionally and unapproachably depraved, and recrimination becomes a necessary though a painful task.

There is one part of this task of recrimination, that we would willingly have left unperformed if practical consideration of the weightiest character had not impelled us to its execution. We would not have referred to the process of retribution, even yet in

full operation, had it not been absolutely necessary that the process should be somewhat checked and moderated. In its course have passions been evoked and deeds done which equal if not surpass in violence and atrocity, the motives and acts of the rebel miscreants themselves. For some time every law of nature and man was set aside by the army of retribution. Indiscriminate slaughter, violation of women, the burning of whole tracts of inhabited country, the hanging and blowing away of men by hundreds, the infliction of skilfully wrought bodily and mental torture, were the daily acts of civilized administrators and commanders. More than this was done by men in lower grades of life. The following instance is not singular in its kind.

"We continue as of yore. Nothing occurs to disturb the serenity of our imprisonment. A force was dispatched some days ago against an insurgent Jhat village, acrose the Jumna, and about twenty miles from this. It consisted of eighty-eight men of the 3rd Europeans, two guns, and thirty mounted militia (Europeans and East Indians), under captain Pond. They stormed the village, and killed about four hundred men. Three hundred and thirteen dead bodies were counted in the streets, besides those killed by the guns in front of the village, and sabred by the cavalry in the field when trying to escape. It is significant that none of the enemy were merely wounded, and not a prisoner was taken. One fought like a savage and spared none, but crying out, 'Remember our women at Cawnpore.' They shot and bayoneted without mercy. After they had slain every man they could find, I lament to say, that they did what infuriated soldiers too frequently do when they take cities by assault—they ravished the women. The officers were unable to control their men, and till the village was set on fire, these scenes were repeated."

An approved mode of vengeance was to fire a village, and as the frightened inhabitants ran out in the open, the males were shot down, and what became of the females it is needless to say. This system of retribution was vehemently applauded by a large section of the European community. It, in their eyes, indicated vigour, a freedom from maudlin sentimentalism. The organs of that community now seek to deny that such conduct was prompted by them or met with their approbation.

That a cry for indiscriminate massacre was never raised is one of those falsehoods the frequent utterance of which has lost to the English press in India all its authority throughout the civilized world. Could we have patience and inclination to wade through the columns of the Indian journals for the last thirteen months, we could produce from them a mass of profligacy and brutality the sight of which would sicken the sturdiest nature. It was but the other day that an officer entrusted with a detached command by Sir Hugh Rose performed his duty in a manner to elicit the following testimony from his General: "The enclosed report from Major Gall shows how satisfactorily these rebels were disposed of." Thereupon a Calcutta newspaper, the "leading journal" of the Calcutta petitioners, makes this remark: "From the satisfaction exhibited by Sir Hugh, we presume and hope, they (the rebels) were killed to a man." Major Gall's report is understood to have contained the following passage: "I burnt the village of—and killed all the males." Another journal of high and in many respects of deservedly high pretensions, applauded the act as one of superior wisdom and courage. We shall not do the better portion of the European community in India the injustice to say that the local press truly represents their sentiments; but forbearance shall last only till we find them endorsing the sneaking and truthless disclaimer.

XXXI THE PRESENT ENLGISH AND INDIAN OPPOSITION PARTIES.—A PARALLEL*

There are few things which India has in common with England and which can admit of comparison. Neither in political institutions nor in social usages, neither in national spirit nor in the transaction of ordinary life, neither in literary competition nor in scientific researches, does British Indian or Anglo Indian approach in character to Great Britain. But in one respect only can a similarity of condition be observed among them. This similarity owes its origin to one identical cause other than the position which the opposition parties against the Governments of the day, occupy both in

* July 15, 18 8.

England and in India. The most recent and graphic picture of the present English opposition is to be found in the clever, and adroit speech of Mr. D' Israeli to his constituents at Slough. He describes it as a "cabal" unknown to the English constitution since the days of Charles II, of as corrupt motives, unceasing in intrigues and restless machinations, as the ill-famed authors of the anarchy, turmoil and misery which afflicted Britain before the advent of the Revolution. The Chancellor of the Exchequer understands the sole object of this party to be to upset the Government of the Queen, upon means scarcely justifiable or pardonable in the eyes of civilized nations. And have we not in this country a "cabal" consisting of "some scheming English politicians" and others exactly answering to Mr. D'Israeli's description? Are they not equally opposed to the local Government, unceasingly shouting and roaring at every act and movement of Government, and making as strenuous and underhand exertions to "loot the treasury"? The Anglo-Indian like the English "cabal" possesses resources of all kinds, equally disposed and diligent to use them for the worst of purposes, to the prejudice of the true interests of the country they dwell in and of that from which they have drawn their life-blood. Both the cabals number some of the most intelligent and distinguished men of their class in the two countries; both of them are possessed of considerable social influence perverted alike to sinister ends; both of them claim power exclusively for the promotion of their own interests, and both for that purpose sacrifice public duties to the advancement of private ends. Both of them, by a most unhappy accident, exercise an almost inconcievable power over the liberties and privileges of the press, and to an extent unprecedented in the history of constitutional England and the Free Press. Speaking of corruption and venality of the English press caused by the unhealthy influences of this cabal, Mr. D' Israeli says, "Innocent people in the country who look to their leading articles for advice and direction—who look to what are called the leading organs to be the guardians of their privileges and the directors of their political consciences, are not the least aware, because this sort of knowledge travels slowly, that the leading organs now are place-hunters for the cabal, and that the once stern guardians of popular rights simper in the enervating atmosphere of gilded saloons." Our readers will not, we trust, omit

to note that these observations are eqally applicable to the Indian Press, if we only leave out the local allusion which do not apply here. It is also important to observe that the ignorance which Mr. D' Israeli so lamentingly imputes to the English people does not rule that section of the Indian community which takes interest in the effusions of the public journals. Both the people and public of this country are not deficient in knowledge to detect this venal character of the local press. The reading community is comparatively limited here, and therefore what is known to one member of it in a time comes to be known to all. But it is really disgraceful to our brethren of the Indian Press to pander to the wishes and aspriations of a party who, regardless of every principle, seek openly, against the injunctions of civilization and their religion, to revile the people and calumniate the Government with the wretched view of advancing their own interest. They should remember that the press is the palladium of the liberty and happiness of millions, and not the instrument of the supremacy of a few thousand, not natives of the country, and which is inconsistent with the well-being of those millions and tens of millions. If gratitude has a place in their breasts they should, in honour of the memory of their liberator, the great Metcalfe, avoid a course which would not certainly have sanctioned in his eyes their enfranchisement.

But to our theme. The English cabal is accused of a policy of massacre and vengeance, but the Anglo-Indian is guilty of a far greater offence—it is that of visiting the extermination of the native races. This the oppositionists may deny, as they do in their address to Lord Ellenborough, which by the bye is got up purely from party motives and as they candidly confess for "the conservation of their own interests," but the organs of their thoughts, feelings and opinions contain standing proofs of the cry of indiscriminate vengeance and wholesale extermination which they raised during the most nervous day of "our crisis." We wish some one with leisure and intelligence would collect passage from the contemporary journals expressive of the revengeful wishes and extermination cries of the class we refer to, which would show to the English people what truth there is in the flat denial of recommending a blood-thirsty policy which both the cabalists and

their organs in the press now so stoutly make. They may do so to the end of time, but the future historian and posterity will record a decree not very flattering to their repute as men and members of the great English nation. To complete the parallel we shall touch one other point of resemblance between the two opposition parties. Mr. D'Israeli said that the English cabal has a "Gamaliel with broad philactories of faction on his forhead, calling God to witness, in pious accents of majection adoration, that he was not like other men —that he was never influenced by party motives." And have we not in the person of,—for decency's sake we shall not name him, one who as fitly represents Exeter Hall in India as a noble earl heads it in England? This pious brother from the fervour of his religious nature ever and anon invokes God to witness and tells many godly things for earthly ends. What has he not said which would not degrade a fifth rate Christian and invoke a bull of excommunication in a better country and a better age? Lastly we hope the cabal will have courage to remain consistent and not to give opportunities to their enemies to outart upon them the clever simile of the desertion and breaking up of the Bengal army, the falling off of regiment after regiment, which Mr. D'Israeli has so triumphantly applied to his political opponents in England.

XXXII THE ATROCITIES AND THE ATROCITY MONGERS *

The Indian rebellion, if it has raised many perplexing problems, has solved more. Already it has decided the *Vexato questio* whether in fertility of invention, the children of the east are superior to those of Western and Northern climes. To the surprise of many the verdict has turned up in the negative. "Oriental imagination" is a praise made thread-bare by continual use by a certain class of barren essayists. It was believed that only Orientals could produce a work of fiction like the Ramayan. Whenever a solitary Hindoo happened to perjure himself in a court of justice, a tribe of writers was behind, ready to see in the evidence one of the illustrations of the extreme aptitude of the Oriental at fabrication.

* *Hindu Patriot*, August 19, 1858.

But the recent occurrences in India have proved that after all it was a mistake the world laboured under; that if for any selfish end an Anglo-Saxon would fabricate and conceive, his fabrications will be found to be as superior in skill and his conceptions in magnitude to those of all orientals put together, as any material commodities of Europe are superior to those of Asia; as Manchester is superior in her manufactures to Santipur. Hitherto we did our best to be content with the reflection that though we were behind our European fellow subjects in every moral and physical endowment, we were at least blessed with a faculty nature had denied them—the faculty, namely, of being able to tell a good story. But even in this last found refuge we are, it appears, not to expect quarter. The assiduity of industrious truth-seekers and truth-speakers has discovered that the stories of massacres aggravated by violation and outrage upon British women and children in the North Western Provinces, so industriously circulated during the mutinies, are in a great measure inventions, and that those of our fellow subjects whom we in our simplicity thought the least imaginative and scarcely able to do the deed have really the credit of them. But perhaps we need not wonder. The Indian rebellion, if it could make heroes of the race of Boitakhanah sectioners, may well turn dull "Independent Britons" into competition with the author of the Divine Comedy as depictors of horrors.

Our friends of the League, their friends and their friend's friends whom we take to be the authors of the atrocity-fictions, have not long been allowed to chuckle at ease over their performances. They were indeed successful in inducing the British mob who swallowed the stories of impossible outrages—to raise the cry for "vengeance" but, like all mob passions, the cry was transient and has since been followed by one for mercy. It is a well-known fact that the triumph of the sinner is short-lived. That of those adventurous maligners of our countrymen and of our rulers forms no exception to the rule. They form the only non-official class in India who can be heard in England, and they were not slow to take advantage of the circumstances. They were particularly active during the revolt,—an event the like of which they appear to have been praying for that they might at that opportunity create for themselves a position they were by no means entitled to. But

they adopted a characteristic plan of action which, though it succeeded for a time, was calculated in the end to unveil the sordidness of their motives and their impotence. Instead of exhibiting their absolute worth they took to finding fault with the authorities and abusing the natives of the soil. The former have already been exculpated, and ere long the latter will appear to the English people in their true colours. Lord Canning was the special object of their indignation, and there is a growing class in England who believe that any other Governer-General might have lost the Indian Empire. Little fictions such as Mr. Grant's releasing 150 prisoners and Lord Canning and Sir Colin Campbell quarrelling with each other have been exposed. It now remains for the people to get quit of the charge of unparalleled cruelty laid at their door ; and if the interest which the question of the atrocities has excited for the present continues for some time to come, we are sure the consummation will be attained.

Let not the League lose heart. We are not going to reproduce the statements of Mr. Layard.* That gentleman may have been influenced by baser motives. He may have desired to make political capital of his recent trip to this country. The Ninevah discoveries may have been forgeries. But undoubted official testimonies bear him out in his assertions at St. James' Hall, Piccadilly. Mr. Sherer, Magistrate of Cawnpore, who from his position must have known better of the Cawnpore atrocities and the inscriptions on the walls there than either Mr. Blanchard or Mr. Peterson, impugns them both with an emphasis which ought at once to settle the point. "I have never heard" says he, "a story . . . I consider credible, of mutilation, torture, or dishonour. . . . There were no dead bodies lying about in the enclosure of the house, there was no writing of any kind on the

* An ex-member of Parliament who came to India during the mutinies and on his return delivered some lectures in England denying the truth of the allegations about Sepoy atrocities and giving instances of revolting outrages by British troops. His speech aroused a violent controversy. Russel writes of these speeches thus :—"Mr. Layard's speeches and lectures which have been received with a shower of dirty dish clouds from the well furnished Billingsgate reportoire of the convict Cleon of Calcutta, are the subject of discussion here (at Simla). Most men are disposed to blame the want of judgment and the immoderate tone of his statements, but there are many of his facts which we know to be true. As the Colonel said, 'I know far worse than anything he has said."—My Diary in India II, 124.

walls of these buildings." Then again Mr. Geo. G. Watson writes to the *Englishman* to the same effect: "It is useless for me to reiterate that as far as can be gleaned from authentic evidence, however much you may be disappointed at the fact, (speaking of the atrocities) such was not the case at Cawnpore. I consider it disgraceful, and am by no means singular in my opinion, that you and your brother editors persist, with the morbid verbosity of penny-a-liners, in the face of all authentic evidence, to harrow the feelings of the relatives and friends of the unfortunate sufferers at Cawnpore by heaping on them dishonour and mutilation never inflicted, and foster the tale by imaginative reports such as the apocryphal relation of the blue cloth story by Mrs. Murray." If after such unmistakable testimony by persons who know most of the affair in question, anybody will still be found to talk of violation and mutilation, let him alone, for he is a man whom nothing can teach, convince, or put to the blush.

XXXIII. THE *TIMES'* SPECIAL CORRESPONDENT *

The power and influence of the leading journal received adequate recognition in the importance attached by the Indian public to the appointment by its managers of a special correspondent to report upon the currencies of the Indian insurrection from the very scene. The selection for that purpose of the brilliant writer who was employed in a similar mission in the Crimea added to the liveliness of the interest taken in the appointment. Mr. Russel's personal fame and the prestige of his situation as the local representative of a great political power ensured him on his arrival a reception more than simply favourable. The schism in Indian society which even now divides a portion of the European community in India from the rest of the population then ran very high. This party sought to enlist the powerful aid of the *Times'* correspondent on behalf of their cause. The portion of the native public which knew the extent of the power for good and evil possessed by Mr. Russel in his situation saw ample cause for apprehension in his mission. They apprehended that from

* *Hindu Patriot*, August 26, 1858.

sympathy, connections and a host of congenial feelings and convictions, Mr. Russel would side with the minority. Mr. Russel's forte as a literary man lay in his power of description, and they knew that it was in any unscrupulous use of that power that the greatest danger to their country lay. They had perceived how narrations of the most inartistic constructions had succeeded in inflaming the minds of the civilized world against their countrymen. The scene-painting—by the pen and the pencil—which had harrowed up all Britain in a phrenzy of causeless revenge against the people of India were wretched specimens of the art. Yet their success had been enormous. What then was not to be feared from the efforts of a master? The leaders of native society, we sincerely believe, did not overestimate the gravity of the new danger. It may flatter Mr. Russel's vanity, but it must add weight to his sense of responsibility, to learn that men who in their Asiatic notions of things would not stir from their seats to welcome a Judge or a General were seriously asked and were seriously disposed—at the sacrifice of all their feelings of dignity—to wait as suppliants upon him in order to exhort him to remember, ere he wrote his despatches, how momentous would be the consequences of every word he wrote.

Mr. Russel's first letter which saw the light disappointed the public, but the subsequent ones at once rivetted attention. Their effect is of course not directly felt in India; but it is nevertheless working in the public mind. What most people mark in them is not the exquisite literary skill that lay in the business-like and apparently artless narrations of the writer. A higher merit is stamped on their face. An utter disregard of current prejudices, worthy of the representative of the *Times*, marks the character of those communications. As in the Crimean, so in the Indian, despatches, the quality most remarked is their absolute fearlessness. Nought is set down in abject deference to a factitiously powerful 'public opinion.' Mr. Russel wrote as he saw and believed. The calm unhesitating manner in which he raised the question, whether the mutinies in their progress have developed criminality of a more hateful type than that which dictated the forgeries on the walls of the Cawnpore slaughter house* violently shook settled

* Soon after the relief of Cawnpore "the bad habit, common to low English-

prejudices. There was no effort, no specification of purpose in the writer. He had to report upon a fact, and he did it in the course of simple duty. He went on, and we find him in one of his next letters writing thus: 'A rebel chief, with some sepoys and irregulars, entered a small town in the Doab, and immediately demanded a money contribution from the headman and principal inhabitants, threatening, if he did not get what he wanted voluntarily, that he would take it by force and sack the place. To save the town, a sum of Rs. 5,000 was presented to him, and the Captain hearing that a body of our troops were approaching, abandoned the place with his followers. When we entered next day one of our officers was informed by the townspeople that Hussein so-and-so and Bukht this and Pandy that had given money to the enemy. The men were seized. In vain they explained that they had as much dislike as most men to part with their money, that the English being unable to protect them they were obliged to submit to force; —their offence was clear—they had aided the enemy, and they were hanged on the spot."

On the great topic of retribution he wrote as follows:—

"The time of indiscriminate blood-shedding must cease, let all that the angry civilians of British India can say be said, with the punishment of the mutinous sepoys and of those actually taken in arms against us. Justice and even vengeance must after a period rest satisfied. We cannot, and God forbid that the British people would if they could, put to death all who have at any time and under any circumstances taken up arms against us. We cannot, after the work of the bullet and the sabre has been done, put hundreds of thousands of people to death. To many tens of thousands we were unable to afford protection; these people were therefore forced to obey the orders of the authorities who reigned in our stead, and though it may be very easy to say that they should have come to us it was not at all easy to do so at a time when the whole of the North-Western Provinces, except the Punjab

men of scribbling where they ought not, here displaying itself in an odious form had covered the principal buildings of Cawnpore with disgusting forgeries, false in date, in taste, in spelling, and in fact." *Trevelyan's Cawnpore*, p. 336. These detailed brutal acts purported to have been committed by Sepoys. These inscriptions roused the greatest indignation in England and India till they were found to be forgeries.

swarmed with our enemies, and when the British were only to be seen in a few beleaugured posts. In the case of Lucknow, all our difficulties will most probably be solved by the sword, but 'there is an hereafter.' Are the hundreds of thousands who must escape to be shut out from all hope ? To be deliberately driven into desperate dacoits and outlaws ? Are we to look to the rope and rifle as the only means of reassuring the country, and of restoring law and order ? Even as it is, we are obliged to close the gates of mercy on many who would willingly enter if they had a chance, in as much as, for political reasons, they cannot be opened till the gates of Lucknow have been opened also. It is a positive fact that the Prime Minister of Oude—a man whose influence, it is true, has been diminished by that of Begum's favourite, but who still holds a high position—has made overtures to Sir James Outram, to which that officer has been compelled to give an unfavourable reply. It may be very unpopular to say so, but I can not refrain, nevertheless, from the expression of my own individual opinion that much of the enmity which exists against us has been engendered by want of honesty, by trimming, and by a Laodicean policy which has enabled the native to charge us with the very subtleties and falsehoods for which they are themselves notorious. Let that be. The question is—are we now prepared for a new crusade ? Is England determined to enter upon a holy war against the Hindu and the Mussulman ? Will she disclaim or accept the views of proselytism imputed to her, and will she, fresh from a sanguinary war, in which she supported the independence of a Mahomedan state against a Christian power, do battle in the name of Heaven against Mahomedan and the million foul deities of the Hindoo mythology, which by too many treaties she has bound herself to respect ? Let us mark and learn and digest the accusations which our present enemies, late our servants, our friends, our hired soldiers, do not hesitate to prefer against us in the face of all the world. Here are two documents which will repay perusal, and reward the profoundest attention of those who seek to divine the causes of this war. They are, as their title dictates the bills of indictment preferred against us, on which juries of hundreds of thousands of the armed men have ventured a verdict of guilty. It is after all most gratifying to find that the charges which are

tenable and provable are so light, but it is very distressing to observe that those charges which are utterly groundless are still urged against us with as much force and success as if they were true, would the case against us be worse? It is needless to say that, except in a very few isolated cases, there is no ground whatever for the statements that our soldiers committed any violence against women."

It is by his testimony on these three points that Mr. Russel has done the service we so highly appreciate. 1st, the stories of massacre and outrage have been exaggerated; 2nd, the work of retribution has gone far enough if not too far; 3rd, the people of India deserve to have allowances made for their conduct.

XXXIV. CONFISCATION OF THE PROPERTY OF REBELS *

We are informed that in the Muttra district, in addition to the usual penalties of death and destruction of villages by fire dealt out among the people for the commission of revolutionary acts, upwards of 150 villages have been confiscated and transferred to other hands for offering armed resistance to the fiscal authorities.

We refrain from discussing the merits of the decisions which awarded the penalties; we are sure that every member of a village community displayed active hostility to the state; but we nevertheless contend that confiscation of property, when the delinquent is permitted to live, is of all punishment the least likely to subdue disaffection.

We are not advocates for lenient measures when justice demands the adoption of stringent ones, we have no sympathy for murderers, incendiaries or revolutionary free-booters, nor have we a word to say in extenuation of the conduct of the mutineers who had sold themselves to prop up the fallen majesty of the rotten house of Tamerlane. We hold that during a revolutionary period nothing short of death or transportation would probably have met the cases we have cited, the main object being to check the spread of disaffection by separating the leaven from the dough, but as the carrying out this principle to the letter against the multitudes who have

* July, 1858.

jeopardized themselves by the commission of rebellious acts, is literally impracticable, it is clear that government will of necessity have to wink at the crimes of many. It was all well perhaps on the first outburst of feeling to make severe examples of a few thousands to vindicate retributive justice, as well as to show that the government had to put down revolt with an unrelenting hand even at the risk of provoking a rebellion of the masses of the people. The ruling power had lost its prestige—that moral influence which had enabled it with a few thousands to hold the country for a century against millions of the indigenous population, and without which it would be preposterous to suppose that the Anglo-Saxon could maintain his footing in India for a day. To restore this prestige was therefore an object of vital importance, and nothing was better adapted to promote it than a judicious dispensation of rewards and punishments simultaneously with a powerful military demonstration in all parts of the disturbed provinces. Capital punishments, and sentences of perpetual banishment on the leaders of the insurrection for offences of a purely political character, were accordingly justifiable on grounds of expediency which demanded the destruction of the active elements that gave vitality and strength to the rebellion; but the effects of simple confiscation are altogether different. In the one case death or transportation puts an end to all future hostility, while in the other the penalty only perpetuates that feeling and allows it to descend for generations as a legacy in the families of the sufferers. True, it is that a persistence in the latter course, throws open to the Government a source of extraordinary income which promises in due time to cover all losses and the expenses of the war—but is the gain worth the acquisition at the sacrifice of security of life and property throughout the land? Would the sufferers, deprived of everything they possessed in the world and the possession of which provided them with a competency, quietly settle down to till the land they had lately lorded over and offer homage to interlopers? Rather than submit to such degradation they would betake themselves to the highways and live by rapine and plunder. The guerilla warfare which has but just commenced would be protracted through a series of years, and the extermination of the marauders would cost ten times more than the value of all the confiscations put together.

We are glad to perceive that the local authorities are gradually beginning to open their eyes to the extent of the evil. A proposition is being made to restore confiscated villages in the Muttra district to their former propriëtors—the new transferees with all the resources and influence of millionaires having apparently failed in the management of their newly acquired possessions, and we hope that a similar considerate course will be adopted in other districts in time to obviate the dove-tailing of an addendum to Mr. Harrington's law with a view to provide against the dispossession of the rightful owners of the soil—not under decrees of our civil courts but under sentences of the Oxy-hydrogen Blowpipe Courts which have already raised the temperature of the North-West Provinces to a white heat !

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jeopardized themselves by the commission of rebellious acts, is literally impracticable, it is clear that government will of necessity have to wink at the crimes of many. It was all well perhaps on the first outburst of feeling to make severe examples of a few thousands to vindicate retributive justice, as well as to show that the government had to put down revolt with an unrelenting hand even at the risk of provoking a rebellion of the masses of the people. The ruling power had lost its prestige—that moral influence which had enabled it with a few thousands to hold the country for a century against millions of the indigenous population, and without which it would be preposterous to suppose that the Anglo-Saxon could maintain his footing in India for a day. To restore this prestige was therefore an object of vital importance, and nothing was better adapted to promote it than a judicious dispensation of rewards and punishments simultaneously with a powerful military demonstration in all parts of the disturbed provinces. Capital punishments, and sentences of perpetual banishment on the leaders of the insurrection for offences of a purely political character, were accordingly justifiable on grounds of expediency which demanded the destruction of the active elements that gave vitality and strength to the rebellion; but the effects of simple confiscation are altogether different. In the one case death or transportation puts an end to all future hostility, while in the other the penalty only perpetuates that feeling and allows it to descend for generations as a legacy in the families of the sufferers. True, it is that a persistence in the latter course, throws open to the Government a source of extraordinary income which promises in due time to cover all losses and the expenses of the war—but is the gain worth the acquisition at the sacrifice of security of life and property throughout the land? Would the sufferers, deprived of everything they possessed in the world and the possession of which provided them with a competency, quietly settle down to till the land they had lately lorded over and offer homage to interlopers? Rather than submit to such degradation they would betake themselves to the highways and live by rapine and plunder. The guerilla warfare which has but just commenced would be protracted through a series of years, and the extermination of the marauders would cost ten times more than the value of all the confiscations put together.

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THE TRANSFER TO THE CROWN

THE FUTURE OF THE INDIAN GOVERNMENT *

The amalgamation of the Board of Control and the Court of Directors of the East Indian Company and the abolition of the name of the Company will probably be the only substantive changes in the form and constitution of the Indian Government to be made in the next session of Parliament. All the other changes—or reforms as they are called—of which sanguine politicians predict too much are neither in the province of parliament to effect nor in the inclination of the ministry to carry through so soon. Judicial reforms, we are afraid, will be postponed to a much later date than was ever in the contemplation of the most conservative of Indian politicians. The revenue system will be left to reorganise itself. The finances will be redressed by loans. The service will continue to be recruited from the Universities. Things, in fact, will go on here as well as in England very much as they have hitherto done with but a single alteration in names. The "abolition of double government" will be an apology for thousand neglects. It will be the fault of our countrymen if they accept it as adequate.

What then is to be done? Nothing substantial can be achieved till the new constitution of the Indian Government is settled and is fairly in work. Parliament will abolish the double government and ministers will take good care that it does nothing further. But yet by dint of exertion it may be made to do something better than merely transferring a large amount of patronage from the East India Company to government. The Houses will be in a spirit to legislate for India far more radical than when they passed Pitt's Bill. They may be made to make declaration of a few principles such as they made when the East India Company was first placed in curb, declarations such as those to which we owe the Permanent Settlement and the Cornwallis Code. Parliament must be made to lay down a policy for the future government of India. What that policy should be is now the question.

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* February 25, 1858.

That policy should be one of vigorous coercion and repression, say a party already in the field. Independent of the impossibility of rigourously coercing and repressing a hundred and fifty millions of human beings even with the aid of Volunteer Guards, there is a want of definiteness in the principle thus laid down which will prevent action being taken on it. The native press may be shackled, the native population disarmed, the educated classes of natives may be debarred from aspiring to offices of trust and emolument, martial law may be extended throughout the land, the exclusive privileges of the British-born may be maintained; but all these measures, though eminently rigourous, coercionary and repressive, will not constitute a policy. They can but be expedients of the time. They can not be perpetuated. We have next the policy of "reorganisation." Those who cry for this policy have perhaps dimmer ideas of what they would have than even the rigourous reformers. The most distinct of their proposals is that the army should be principally European in its composition. That idea will probably have to give way to financial and meteorological considerations. They perhaps also mean that the administration should make a declaration of faith, and that faith should be one in Christianity admitted. But a European army and a claptrap after the latest Punjab fashion will hardly suffice for the re-organisation of Indian interests thrown out of order. It is a misfortune to the country that the ministry have abandoned their original idea of sending out a commission of enquiry before entering on legislation. There are many questions to be settled on which the best informed men must confess their ignorance. Who, for instance, knows the real extent and degree to which the legitimist feeling in favour of the Delhi Emperor prevails in Upper India or the feeling in favour of the Peshwa's family prevails in Central India? Who knows the true extent to which these feelings have operated during the insurrection? Who (but Bengalee landholders) suspected the depth of discontent which lay under the smothering weight of the land settlement in the North-Western Provinces? Who knows yet whether the Sepoy Revolt was promoted by exterior influence? There are other essential points on which, if ignorance be not so general or dense, irreconcilable differences of opinion prevail. Whether the law of India should be assimilated to that of England,

whether the English should or should not form the exclusive language of public business; whether the land should be settled on Zemindary or Ryotwary principles; whether the local legislature should be popularised by an extension of its foundations or should seek aid and popularity by allying itself to an assembly of notables of the country are questions of party discussed and dogmatically theorised upon, but never yet solved any way to the satisfaction of neutrals. Perhaps it will be said that the measure proposed by ministers will not obstruct enquiry or preclude further legislation. But after the present excitement subsides, even the remembrance of the horrors of the mutinies will not prevent India from being swamped in the whirlpool of parliamentary reform.

For the next five years then we may hope only for a gradual assimilation of the relations of British India to the imperial state to that borne by the colonies to the same power. The interference of the authorities in England with details of Indian administration will diminish in frequency, and the Indian Government will commence to act in a spirit of greater independence than it has ever enjoyed. The maxim that India to be well-governed must be governed in India will begin to be practically recognised, and so far as the change will be most desirable.

But one danger our countrymen must learn to look steadily in the face. The Indian Government, both here and in England, will be extremely liable to be influenced by what will be called public opinion. How operative that influence is it is easy to perceive. Let our readers compare the conduct of the Indian Legislature in reference to a few recent acts with its conduct at an earlier period of the year, and they will see how successfully clamour can sometimes intimidate the most conscientious statesman. In England the force of this clamour will be still greater, for there it will be utterly unrestrained by any adverse influences. The abolition of the independent existence of the Court of Directors will remove a powerful barrier that hitherto interposed between the ignorance of the British public and the interests of British India. Impossible theories of colonization and evangelization and reorganisation will be officially countenanced, and much mischief will thence follow upon the country. It is to this aspect of the question that we would particularly direct the attention of our country-

men; and we conjure them not to view it with apathy or indifference.

II. THE EAST INDIA COMPANY *

The petition of the Court of Directors of the East India Company to Parliament is one of those state papers which will take their place in history. A number of subjects have built up an Empire which has often called forth comparison with the conquests of Alexander and Cæsar. They have maintained this power against Emperors and kings, senates and statesman, home and foreign enemies. They have used this power with no mean advantage to the country they have governed. They have set an example of imperial policy such as the world has not witnessed since the decline of the Roman dominion, except it be the policy of the rulers they displaced. They established relations with their own and foreign sovereigns which publicists in vain attempt to define, and they nevertheless have pursued an uninterrupted course of aggrandisement, political and territorial. They now stand arraigned before the bar of public opinion. Despairing of a fair hearing from contemporaries they at once appeal to posterity. There is analogy not very remote or indistinct, between the defence now put forth and that which the martyr-king Charles hurled at his self-constituted judges. It is no suppliant spirit that dictated the following passage :

"That your petitioners, at their own expense, and by the agency of their own civil and military servants, originally acquired for this country its magnificent empire in the East.

"That the foundations of this empire were laid by your petitioners, at that time neither aided nor controlled by Parliament, at the same period at which a succession of administrations under the control of Parliament were losing to the Crown of Great Britain another great empire on the opposite of Atlantic.

"That during the period of about a century, which has since elapsed the Indian possessions of this country have been governed and defended from the resources of those possessions without the smallest cost to the British Exchequer, which to the best of your

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* March 11, 1858.

petitioners' knowledge and belief can not be said of any other of the numerous foreign dependencies of the Crown."

These are telling facts, and put, as they are, definitely and in despair, they will enlist in favour of the Company the sympathy of all those who, disinterested in the final issue of the question, are only desirous of seeing justice done to all parties. The paragraphs quoted speak enough of truth to lead men to think, and cure the population of the phrensy which would condemn the East India Company unheard. It may occur to most people that no measure of administrative capacity could have held the American States in subjection to England to this day, and nothing could keep the Mogul Indian Empire from falling into foreign hands when the Company stepped in to take it. But still the main argument is unanswerable. The Company had achieved success without parliamentary aid or control; that the British nation owes much of its greatness to that success; and that therefore it is bound in gratitude to show at least forbearance towards the Company.

The petitioners accept the fact that it is the mutinies which have offered the immediate pretext for their displacement from power. We doubt whether they have acted wisely in this respect. But a small portion of the thinking public ascribes the mutinies to sheer misgovernment. Such an event became inevitable when the principle of progress inherent in European rule came forcibly into contact with the inert mass of Asiatic existence. Foresight could have perhaps only mitigated a few of the horrors of the outbreak. Nothing could have prevented its occurrence some time or other. The ministry itself does not charge the Company with the responsibility of the rebellion. The reason assigned for its abolition is not misconduct, but superannuation. The Company and its Directors no longer function well in the scheme. They however take up the worst view of the matter and boldly allege that the mutinies have not occurred through their misconduct. They court enquiry on this head, and say: "That your petitioners challenge the most searching investigation into the mutiny of the Bengal army and the causes, whether remote or immediate, which produced the mutiny. They have instructed the Government of India to appoint a commission for conducting such an inquiry on the spot, and it is their most anxious wish that a

similar inquiry may be instituted in this country by your honourable House in order that it may be ascertained whether anything either in the constitution of the home government of India or in the conduct of those by whom it has been administered has had any share in producing the mutiny or has in any way impeded the measures for its suppression, and whether the mutiny itself or any circumstance connected with it affords any evidence of the failure of the arrangements under which India is at present administered."

The justice of this demand for enquiry few will contest. It is due alike to the people of India and their rulers. The former are charged with forgetfulness of substantial benefits received by them. The latter feel that in the eyes of an undiscriminating public they stand not blameless. If the Company is not being simply deprived of its power and privileges but cashiered for a grave offence alleged against it; if it is accused of having caused a great disaster by negligence or incapacity; if future generations will say that the East India Company was removed from power because it threw British India into revolt;—the Company and its representatives have a right to claim a trial. Whether the inquiry be granted or not, the demand for it will remain upon record as a proof of the conscious innocence of the Company if not the conscious guilt of those with whom it had been associated in the Government of British India. The Company is not content, however, with merely demanding an enquiry into its own conduct. The petition plainly charges Her Majesty's Government with the full measure of that responsibility which they would now fain throw on the heads of the petitioners!

"That were it even true that these arrangements had failed, the failure could constitute no reason for divesting the East India Company of its functions and transferring them to Her Majesty's government; for under the existing system Her Majesty's government have the deciding voice. The duty imposed upon the Court of Directors is to originate measures and frame draughts of instruction. Even had they been remiss in this duty, their remissness, however discreditable to themselves, could in no way absolve the responsibility of Her Majesty's government, since the minister for India possesses, and has frequently exercised, the power of requiring that the Court of Directors should take any subject into consideration

and prepare a draught despatch for his approval. Her Majesty's government are thus in the fullest sense accountable for all that has been done and for all that has been forborne or omitted to be done. Your petitioners on the other hand are accountable only in so far as the act or omission has been promoted by themselves.

"That under these circumstances if the administration of India has been a failure it would, your petitioners submit, have been somewhat unreasonable to expect that remedy would be found in annihilating the branch of the ruling authority which could not be the one principally in fault and might be altogether blameless, in order to concentrate all powers in the branch which had necessarily the decisive share in every error, real or supposed. To believe that the administration of India would have been more free from error had it been conducted by a minister of the crown without the aid of the Court of Directors would be to believe that the minister, with full power to govern India as he pleased, has governed ill because he has had the assistance of experienced and responsible advisers."

It is easy to conceive how successfully this part of the argument is maintained by the Company. For three quarters of a century the will of the Crown minister of India has been supreme or subjected to the control only of his colleagues in Government. The Court of Directors were bound in penalties not only not to obstruct the workings of all will, but to actively obey, with whatever reluctance, its behests. The Directors stood merely in the light of advisers and agents. So far the argument is unanswerable. For all the great events of recent Indian history;—for the wars and annexations;—for the debt which burdens the finances and the deficit which is eating away into them,—for the policy which, internally or externally, has bred enemies, the government is responsible. We do not mean by this to say that the action of government upon Indian affairs has been on the whole other than beneficial, or that its control was not needed. But the fact stands patent that every proceeding of the Indian administration was open to correction by the authority which now seeks to evade the responsibility of Indian events. The Directors having thus vindicated themselves proceed to contend for their existence upon higher grounds.

"That if the character of the East India Company were alone

concerned your petitioners might be willing to await the verdict of history. They are satisfied that posterity will do them justice and they are confident that even now justice is done to them in the minds not only of Her Majesty's ministers but of all who have any claim to be competent judges on the subject. But though your petitioners could afford to wait for the reversal of the verdict of condemnation which will be believed throughout the world to have been passed on them and their government by the British nation, your petitioners can not look without the deepest uneasiness on the effect likely to be produced on the minds of the people of India. To them—however incorrectly the name may express the fact—the British Government in India is the government of the East India Company. To their minds the abolition of the Company will, for some time to come, mean the abolition of the whole system of administration with which the Company is identified. The measure introduced simultaneously with the influx of an overwhelming British force will be coincident with a general outcry, in itself most alarming to their fears, from most of the organs of opinion in India, denouncing the past policy of the government on the express ground that it has been too forbearing and too considerate towards the natives.

"That your petitioners can not contemplate without dismay the doctrine now widely promulgated, that India should be administered with an especial view to the benefit of the English who reside there; or that in its administration any advantages should be sought for Her Majesty's subjects of European birth except that which they will necessarily derive from their superiority of intelligence and from the increased prosperity of the people, the improvement of the productive resources of the country, and the extension of the commercial intercourse. Your petitioners regard it as the most honourable characteristic of the government of India by England that it has acknowledged no such distinction as that of a dominant and a subject race; but has held that its first duty was to the people of India. Your petitioners feel that a great portion of the obloquy with which they are assailed is caused by the belief that they are peculiarly the guardians of this principle, and that so long as they have any voice in the administration of India it can not easily be infringed; and your petitioners will not conceal their belief that

their exclusion from any part in the government is likely at the present time, to be regarded in India as a first successful attack on that principle."

The bitterest enemies of the Company's government have never denied it credit for a high degree of moral courage. Indeed one principal charge against it is that it pays too little homage to popular opinion. But the expression of the sentiments quoted above must have surprised even those who were accustomed to see the India House brave at once the Manchester School, the *Times* and Exeter Hall. At a moment when they are suffering under popular displeasure, when the thought that would first occur to men of expediency is to conciliate the public—at all events not to offend its prejudices, the Court not only pronounce the most unpopular opinions but pass in return an emphatic censure upon their traducers. The sentiments in themselves are just and true in the highest degree. Whatever else the Company may have done, it has strenuously essayed to protect the people of India from the flood of British adventure which the fame of the land and its real capabilities would have called forth. It has persistently refused to give way to the appeals, which under the guise of British patriotism, were so incessantly made to it by cupidity, arrogance and fanaticism.

The petition has been justly pronounced to be an ably reasoned document. It marshals in conspicuous array all the facts and arguments which tell in favour of the Company and against the threatened measure of its abolition. It may want the simple dignity of language which Coke or Somers imparted to the celebrated productions of their pens, yet it is a masterly vindication of a lengthened and eventful administration. What impression it makes upon the British public yet remains to be seen. We believe it has already gained over some converts of no mean influence. At all events, it will do its duty before the descendants of those who may pronounce its doom at the present day.

III. ABOLITION OF THE E. I. COMPANY—ONE PROBABLE RESULT *

The weightiest argument against the immediate transfer of the government of India into the hands of the Crown remains yet to be enforced. At any other time we would not have been particularly sentimental over the grave of a corporation which has cared for native interests when impelled by a power superior to its imperturbability, but there are seasons for all things, we may sometimes hesitate with advantage before we condemn the proved despotism. Niebuhr somewhere incidentally observes that it is impossible for Asiatics, and the people of Hindustan especially, to realise the idea of merchant royalty like that of the East India Company. Yet whatever the truth of the remark and whatever the Company's shortcomings, its name is a spell all over the country beyond Calcutta. It is only in the metropolis, where, partly from fuller information, and partly influenced by newspaper criticism, men have lost respect for a body responsible to a still higher authority. Without the ditch, the feeling is one of profound veneration. The Asiatic is a Tory. His sympathies are essentially legitimist, and however ill the East India Company may express a form of imperial rule, it will be hard for him to dissociate the idea of English government from the government of the East India Company.

The Directors of the Company know, and in their petition to Parliament have urged, this fact. The part of the petition is most to the liking of the people of India, in which, after adverting to this important fact, the petitioners express apprehension respecting the fate of our countrymen. "To their minds the abolition of the Company will mean the whole system of administration with which the Company is identified. The measure, introduced simultaneously with the influence of an overwhelming British force, will be coincident with a general outcry, in itself most alarming to their fears, from most of the organs of public opinion in this country as well as of English opinion in India, denouncing the past policy of Government on the express ground that it has been too forbearing, too considerate towards the natives." The East India Company are undoubtedly in the right in taking credit to themselves for having done

* April 8, 1858.

much to protect the natives from the "public" of India. That "public" if allowed to have its way would reduce the people to a condition of absolute helotry. The servants of the Company have usually made it a point of honour and of policy to prevent the consummation of the devout wish. But sometimes the temptation to earn the good opinion of the "public" becomes irresistible, and official virtue yields reluctantly to the attractions of newspaper popularity. A few instance will suffice to show that the E. I. Co., and their servants are no longer that string and shield between the people of India and Anglo-Saxon aggressiveness that they claim to be.

For the last several years the most important province of British India, Bengal, has been governed by a servant of the Company who to the merits of thorough ability and knowledge unites a keen regard to the variations of public sentiment on all questions of local policy. Mr. Halliday knows better than any other Bengal civilian the real structure of Bengal society, the true nature of the wants of the province, the reason why it is that Bengal in spite of a limited land-tax gives more than any other division of the country to the public exchequer, the reason why Bengalees have become truer and more troublesome British subjects than any other section of the population of British India. Yet it is Mr. Halliday who has done more to give up the Bengalees, rich and poor, Zemindar and ryot, to the European adventurer than any previous representative of the East India Company. And why has he done it ? So paltry was the temptation that we would hazard the license which permits us to exist if we were to mention it.

The compromise which the Madras Famine Commissioners made with the European branch of the Civil Service when they stopped short of the legitimate conclusion to which the facts collected by them led scarcely affected public opinion either in India or in Europe. The *Edinburgh Review* indeed which came out immediately after the publication of the report almost resented the weakness of the commissioners. We, in India, looked on the thing as a matter of course, of conventionality and of convenience, and contented ourselves with the main result of the exposure, namely, the mitigation of the practice of torture. We know, as does every Civil servant out of college, that it is beyond official, European or native, to forego

the attainment of truth when its attainment becomes possible by the administration of a few hard arguments. We repeat once more that we are content with the fruits of the Commission, but not its conduct.

Mofussil magistrates are known to be given to other ways of abusing their authority. It is a notorious fact that young magistrates of recent days consider it a weakness to accord any consideration to a native however high his rank may be, and count it barbarism to obstruct the "development of the resources of the country" by Anglo-Saxon energy. The Agra and Punjab salaming orders afford another index to the present current of official sentiment. They show how powerful is the spell that could make a reputation for Sir John Lawrence where John Colvin failed and set up Edwardses and Montgomeries against the name of John Peter Grant. We have no misgiving whatever as the fate of the East India Company. Its doom has been sealed. Lord Derby has adopted in substance the bill of his predecessor, and ere long its abolition will be a fact. But whatever the authors of that bill may intend, the community of "Independent Britons" in India will view it in the light of concession to their clamour. They will henceforth learn to deem that clamour is almighty. In a moment of triumph they may even assume to take the law into their own hands and assert a political superiority over their native fellow-subjects which has no foundation in fact and was never countenanced by law. These are probable consequences, and when they occur those politicians in England who have now declared against the Company from motives of philanthrophy will regret that they had not reserved their cry for calmer times.

IV. THE FUTURE OF INDIAN GOVERNMENT

The work of a century and more has too many and too powerful claims on public attention and parliamentary consideration to be destroyed without that degree of deliberation which is due to its long standing and importance. That England owes much to the East India Company for its power and prestige it is impossible to deny. Gradually, but certainly, the wave of British conquest in India

has advanced from the Ganges to the Indus, absorbing all the petty nationalities that obstructed its progressive course, and erecting on the ruins of Mogul grandeur and Mahratta ascendency a monument of strength and glory for Britain, scarcely equalled by any reared in modern times. Strong principles of political morality and international law were involved in the career of progress and conquest, the systematic breach of which by certain reckless and headstrong servants of the Company has been frequently exposed in these columns, but England was satisfied that her arms were extending, her power augmenting, her voice resounding over an ever-enlarging area. A century is a long time in the life of man. But a century is but a brief period in the life-time of a nation. And during this brief period the Company has achieved so many conquests, acquired such vast territorial possessions, overthrown so many proud and ancient families, and created such strong interests in the land and in the nation, that the history of Crown colonies scarcely affords a parallel to them. But while the enormous power in the East daily increased, no responsibility for the greatest vagaries of absolutism and the most deliberate transgressions of political morals and justice was attached to the British people by the imperial nations of the world. In the eyes of Europe balance of power was preserved straight and even, but this daily augmentation of national strength and importance was not taken notice of. A political anomaly as the Company was, it afforded an effective screen for the nation for all its progress in Asia. A body of merchant Princes, holding under sway a tract of land measuring in length and breadth half of Europe and peopled by nearly two hundred millions of human beings, resembling in political importance and power the greatest nation in the world, was held responsible only to the British Parliament and people. Apprehensions were necessarily small, for in the progress, success, and acquisitions of the Company the whole nation was interested. Now and then maudlin sentiments of philanthrophy and England's mission and such other fine phrases disturbed the quiet career of agression and conquest of the Company, but they were too light-impulsed to make the action live long. The nation rather deplored that the secret of territorial aggrandizement and political strength by the agency of a Joint Stock Company was not ere long discovered to bring the broad world under Anglo-Saxon

dominion and civilization. Let the reader now conceive whether England is prepared to resign the aid of such an important political agency as that of the E. I. Company which stands in much the same relation to England as the institution of Ignato Lloyala did to the Papacy of Rome.

If the history of England—parliamentary and political England—has made intelligible any one fact it is the disposition of the English people on political questions. The English people are essentially conservative as much as the nine-tenths of the human race. A Reform Bill is almost a bore to the thinking portion of the English nation, and to work it out within a quarter of a century would indeed be a hard job. Radicalism and philosophical democracy may advance, sentiments of progress and reformation may take root, and France may read daily lessons of social equalisation, but the veneration for the "wisdom of our ancestors" will not diminish, or the bright flame of the "good old institutions" fade away. This national temperament is a citadel for the East India Company against all assaults and seige. The system of the double Government may be condemned, the Civil Service predominance may be exposed and ridiculed, the gigantic patronage of the Directors may be questioned and censured and portions of it may be wrenched away as they were four years ago, but still there will remain much for the embellishment of an oration or the sustainment of a peroration. The Company has carried order when it was chaos, imposed laws on lawless herds of banditti, given security to person and property where it was perpetual danger and disturbance, scattered the luxuries of European civilization, diffused the blessings of Anglo-Saxon energy and industry, founded an admirable system of political equality and brought justice to the poor man's door—such facts the hottest Indian Leaguer will not be able to gainsay. These warm baths will cool the national indignation of Britons, and Parliament will probably rise from a vote of censure on—what do you think, reader?—on the people of India! This must be the extremest result of the hot contest that is probably awaiting, but perhaps the final will most reasonably be the adjournment of the question. Some sensible members will, it is hoped, move that let India be again England's, before England hazards a change in the Indian constitution. The work of re-establishing tranquility has fairly

begun, but it must extend over a considerable time before it reaches a successful termination. Let the sword accomplish its task before the olive branch waves again over India. It is useless to argue about schemes of Indian government when the first necessary thing is to see the Government secure. It would be gambling and trifling with all historic experience to wrench authority from the hands of the Directors at this period of the crisis. Now, more than ever, the influence and experience of the Company, embracing a century, must be brought to bear upon the good cause of restoring peace and order. It has been truly said that Englishmen were scarcely aware until now that they had an empire in the East—such was their ignorance of the affairs of India. And would it not be mad and suicidal to displace the only body of men who have studied India and pretend to solve the Indian problem? Another thought arises in theorising about the Indian constitution. Can a revolution in the Indian government be authorised by Parliament without consulting the wishes of the vast millions of men for whose benefit it is proposed to be made? The reply must be in the negative. Great agitations are being made, it is true, for the overthrow of the East India Company, but until the national will of India goes to strengthen the enemies of the Directors the end will hardly be attained. The time is nearly come when all Indian questions must be solved by the Indian. The mutinies have made patent to the English public what must be the effects of politics in which the native is allowed no voice. The sympathies between the governing and the governed must be more free and firm before England can propose to govern India fully, sufficiently and properly. The Europeanization of the race can not be said to be complete while there remains a single bar to the expression of the political wishes of the Indian people or a single obstacle to the unstinted diffusion of their political sentiments.

V. THE NEW INDIA BILL*

The New India Bill of Lord Ellenborough, though manifesting considerable originality in conception, has not taken the public

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* May 6, 1858.

by surprise. Its leading provisions are the official enunciation of views which had been consistently advocated by his lordship on all occasions which called for an expression of them. A thorough master of his subject, Lord Ellenborough, in endeavouring to give India a good constitution, has not hesitated from devising a scheme unprecedentedly elaborate through any fear of rendering it too complicated. Contemning alike native opinion and the opinions of the British inhabitants of India, he has proposed to make over the direction and control of the Indian governments into the hands of a council composed mainly, perhaps entirely, of the official, or rather the service, elements. We shall wait for the Bill itself before we enter into a minute examination of its purport. The telegraphic summary of the Bill is in many parts unintelligible ; but it leaves the impression that the measure has been framed with a view chiefly to secure the largest possible amount of Indian knowledge in the Controlling Council and to maintain what has been called the traditional policy of the Indian government. If the Bill be passed in its integrity, the council of its creation will be found to be more thoroughly imbued with the purely official spirit than any Court of Directors has ever been. No hot-headed advocate of proselytism, no crack-brained seer with visions of Anglo-Saxon destiny, is likely to find a place in it, or finding one to carry any influence with him. Of the eighteen members, four must be civil servants, and four must be military men. Of the remaining ten, the one whose election will lie with the ministry must be a diplomatist and the four who are to be elected by a constituency composed almost exclusively of the services, will most probably be from the services. The manufacturing towns will perhaps return commercial men exclusively, but commercial men Indianized by residence or connection. The scheme would have been complete in its kind if the two universities had been empowered to elect three members each. There would have been then at least a fourth of the Council possessed of some sympathy for a race with historical antecedents and an ancient civilization.

The council is constituted upon a sufficiently wide basis to make the position of the president one of considerable ease. The responsibility will henceforth be less than Indian ministers have borne since the date of the creation of their office. If he err he

will err with eighteen select men of approved knowledge and experience. Unless there be division in the council, the outside public and Parliament will, in differing from the new Indian department, labour under the serious disadvantage of appearing to differ from the best authorities on Indian subjects. The members of the council are to be removable by Royal Command addressed to Parliament. They will therefore be in some measure dependent upon the ministry of the day for the retention of their places. They will not be allowed to sit in Parliament. Their complaints therefore of neglect and inattention will be as unavailing as those of the late Mr. St. George Tucker on the Afghanistan invasion case. They will be probably called on to act as heads of departments as well as advisers to the president. In that case the less energetic among them will subside into clerks of a superior order. The constitution of the new Board, while affording ample means of information and assistance to the minister, will reduce his personal responsibilities in a material degree and add a vast amount of prestige to his department.

The vexed question of patronage is settled in a summary way. It is all surrendered to the ministry of the day. The arrangement in our eyes is open to less objection than is generally taken to it. It is not at all likely to prove ruinous to the constitution. The character of the House of Commons and the spirit of the times will be sufficient guards against corruption. And it has been felt of late that the influence of the Crown has declined to a degree incompatible with vigorous action on the part of the government. Its power has decreased, is decreasing and ought to be increased. No minister since the days of the Reform Bill has found himself strong enough to meet a popular cry. It is not an uncommon occurrence in these days of statesmen accepting office from a patriotic conviction of the necessity of carrying on the Queen's Government rather than from ambition or a desire to carry out favourite principles and policies. The addition of the patronage of the Indian army will only strengthen the hands of government beneficially and aid the constitution in these days of trial. One part of the patronage is transferred from the authorities in England to those in India. The Governor-General and the Governors of the minor presidencies are to choose the local councillors. The

change will not materially affect the character of those institutions, the Indian Councils. And there is a strong probability of the next Indian Bill sweeping them away and substituting in their stead cabinets of secretaries.

We give our adhesion to Lord Ellenborough's Bill in preference to that of Lord Palmerston on the simple ground of its being more conservative in principle. We attach no great importance to the studied exclusion of the native voice from the electoral lists. If India be governed in India it will not matter much who controls it from England. The service feeling which acts so strongly to mould Indian politics is a bar to many improvements in India, but in England it is the service feeling that upholds the traditionary policy and holds in check theorists and vestry politicians alike. We can scarcely conceive a constitution of the English branch of the Indian Government more inimical to the interests of the people than one composed of elements possessing no affinity to the materials of local Indian administration.

VI. THE NEW INDIA BILL CONSTITUTIONAL POINTS *

Considering the New India Bill to be a legitimate product of the great Indian Rebellion of 1857, it may with truth be said that the revolution implied in the transfer of the government of India from the East India Company to the Crown of Great Britain is one of the bloodiest recorded in history. Had the East India Company—with which body the High Chief has with so much show of reason identified the Sepoy army—resisted, as has been the wont of Indian Viceroys from the days Kootub downwards, the assertion of the sovereign's right to assume the government of her Indian dominions, and employed that army to fight the royal troops, the result would scarcely have been much otherwise than they now appear. The same struggle, the same bloodshed, the same embitterment of feeling, the same manifestation of apathy by the civil population, and, in the end, the same secure establishment of imperial authority, would have been the consequences.

* May 13, 1858.

The first few clauses, therefore of the New India Bill, in which the transfer of the government of India from the East India Company to the Crown of England is provided for, read much like a proclamation issued by a sovereign on the first assumption of empire over a conquered land. They remove in distinct terms the Company from all participation, overt or covert, in the management of the affairs of India, though in another part of the Bill an important right of the Company to interfere in the government of India is left in them as electors in common with other constituencies of four Indian councillors. The extreme distress of mind which some Indian publicists have felt in determining the precise object of the British Indian's allegiance is thus effectually removed. His liege lord is no longer the East India Company which hitherto coined money and granted sunnuds in it own name, nor the Emperor of Delhi as whose grantee and servant and minister the East India Company looked in Indian eyes, but the sovereign of the great British empire.

The position hitherto occupied by the East Indian Company as sovereign and subject at the same time was an anomaly in politics. It resembled in this respect one of those objects of metaphysical speculation which delight and embarass German philosophers and which are always expressed by two words joined by a hyphen. Were one of these philosophers to engage himself in defining the character of the Company in its dual relation as sovereign of one country and subject in another, we would receive deep and lengthy dissertations which would of themselves form an important branch transcendental politics. Mr. D'Israeli, however in introducing the Bill, left this part of the subject on Eurasian mystery to be solved by the schoolmen of the thirty second century. He simply described the Company as a ministry of British power which had been left to play its functions with considerable liberty and independence and had on the whole possessed the respect of the British nation. To the people of India, however, the Company did not present the appearance of a representative of British power exclusively. It was in fact a successful Mogul Indian Satrapy, and in that light was universally viewed in India. Its displacement from political power severs the last link which connected the people of India with the throne of Delhi.

The Secretary for India who assumes by the Bill the ministerial functions hitherto vested in theory in the East India Company is to be of the rank and to receive the salary of a Principal Secretary of State. There are legal and constitutional objections to allowing a fifth Secretary of State to sit in the House of Commons. These objections are overruled by the Bill, as on the occasion of the secretaryship for war being created during the Crimean campaign, and a wide margin for Cabinet selection is left by the permission for four principal Secretaries sitting as members in the House of Commons. The position of the Indian Secretary is rendered such as the most ambitious of English politicians may not look with scorn at. It is placed upon a footing suited to the importance of the trust, and coupled with the magnificent patronage placed at the disposal of the department will command respect and excite emulation.

The country is for the purposes of the Act called India. There must be a meaning in this. There is indeed no independent state between the Himalays and the Cape. But still it would not be accordant with fact to take British India for all India. Possibly the abbreviation is a step towards making the country contribute a title to the sovereign of the empire. If so, why was not the contribution exacted at once. What occasion more fitting for the sovereign to be proclaimed Empress of India than when the government of the country is assumed in her name?

VII. THE NEW INDIA BILLS*

The reception which the New India Bill introduced by Mr. D'Israeli has received at the hands of the British public has not been such as to assure its safety or comfort to its supporters on the two main points on which the Tory organs claim to assert its superiority to the rival measure, namely that it provides a more numerous and more efficient council for the Indian minister, and that it recognises the representative principle, politicians evince no disposition to lay any stress. The intricacy of the plan has offended the prejudice of people who at the same time can not understand

* May 20—1858.

the bearings of its parts and will not acknowledge their incapacity. The clause which transfers the entire patronage connected with India to the Crown has made opponents of a large class of politicians. Others are displeased because the council, besides being a deliberate body, will not possess the executive function of initiating measures. Not a small number predict danger from the direct representation of the several branches of the public service in the council. Finally the unrighteous proposal to give five British constituencies the power of electing councillors while a similar privilege is withheld from the natives of India has called forth a more than deserved measure of reprehension and ridicule.

The two Bills now before Parliament have undergone a more formal review at the hands of the Court of Directors. That body disapproves of them both, but specially the one introduced by Mr. D'Israeli. It hates not Lord Palmerston's measure less but Lord Ellenborough's more. At a meeting of East India Proprietors convened to receive the report of the Court of Directors on the Bills, a member proposed that those two great statesmen of the age of the India House, Sir James Melville and Mr. Stuart Mill should be instructed to draw up the new constitution. The proposal was disapproved for the very intelligible reason that the Company could not be expected to assist in its own extinction. And even without this manifestation of opinion we may be sure that no project for depriving the Company of its power will meet with a friendly reception in the India House. The bad pre-eminence of being the worse of the two bills, which the Court assigns to Lord Ellenborough's project, may be accounted for by the circumstance that while Lord Palmerston left the Indian patronage in the hands of the councillors with some power over the Indian finances, Lord Ellenborough leaves them neither power nor profit. The Court of Directors is specially bitter on this point. The "Second bill", as they call the one introduced by Mr. D' Israeli "would effectually prevent the council from being a reality and render it a useless pageant," and, in their opinion, "the good of India by a minister and a council depends upon the amount of influence possessed by the council." The proposition to give the choice of five members of council to the parliamentary constituencies of five great towns, the Court views "with

amazement"; —and well it may. It justly says that "to assign to such a constituency control, not of their own affairs, but of the affairs of another people on the other side of the globe, is to incur the disadvantages of popular institutions without any of the benefits." The Court strongly condemns the transfer of the power of appointing the councils of India from the authorities in England to the local Government. Under the present constitution "the measures of a Government, necessarily absolute, have had the advantage seldom possessed in absolute governments, of being always preceded by a free and conscientious discussion." Parliamentary supervision in the Court's opinion, is more productive of harm than good; "for it is not the people of India, but rich individuals and societies representing class interests who have the means of engaging the ear of the public through the press and through agents in parliament," which, moreover, by the exclusion of the Indian councillors such as Mr. Mangles and possibly Sir James Hogg, will be even less efficient than it has hitherto been for the transaction of Indian business.

The opinions of the Court of Directors will perhaps little affect the fate of the Bill. That has been practically disposed of by the proposition of Lord John Russel, accepted by the ministry, to procure a Parliamentary settlement of the questions of Indian government mooted in the Bill by adopting a series of resolutions embodying main principles. The manner in which this proposition was received by the ministry was one of meek complaisance. Indeed ministers do not seem to care how much of the measure is altered or approved of. Lord Derby in his speech at the Mansion House made an apology for the Bill brought in by Mr. D'Israeli. His Government had been suddenly called upon to form a measure of vast difficulty and importance, and he was willing that the project should be improved in parliament however be the party that assists in the good work. This lukewarmness of the ministry, coupled with their known unwillingness to hasten a measure on the transfer of the Indian government from the hands now administering, it leads many to suppose that the session will pass away before any of the organic changes so incessantly talked about of late are effected. The Company may yet tide over the season. Its representatives have already evinced considerable tact in dealing with the crisis,

and if they manage to pass through the present excitement without damage, the old corporation may live to enjoy its greatness for years to come.

VIII. THE EAST INDIA COMPANY AND RESPONSIBLE GOVERNMENT.

It is something fortunate for the East India Company'y name with posterity, if for no other earthly consideration, that its defence in its later days has been entrusted to the *Saturday Review.* Sprung into existence as the mouthpiece of a Peelite nobleman almost politically obsolete, this newspaper turned out the organ of the scholars of England, and with a combination of purposes certainly not very distinct to serve, has, within a surprisingly limited time, raised itself to the first rank in English journalism. The defence has been conducted with an earnestness sometimes bordering upon recklessness which Erskine would have admired. The supreme merit of the defence lies in its abstractedness. Continuing details which at best could only hamper the case and irritate the general reader, and admitting purely minor shortcomings, the advocate boldly lays down principles of imperial rule, puts the Company's administration to the test of these, and proves to the satisfaction of every man who has not already sold his understanding to a party that, weighed in the highest and safest of all balances, the Corporation has not been found wanting.

The *Review* has done more. It has tried to avert the doom of the Company by every possible argument. In a series of telling leaders it has successfully withstood the universal clamour, and shown the danger to both English and Indian liberties, of a direct connection between English and Indian politics. The people of Great Britain have for the first time learnt how the habit of ignoring the principle of religious toleration in our treatment of distant populations is apt to engender a sympathy—perhaps a still more active feeling, for measures of religious intolerance among ourselves ; how the looking down with contempt upon Oriental monarchs will lead ministers to insult European royalty, how the spirit of high handed coercion in legislation abroad will inevitably be transferred in time to that for home. The people of this country ought to rest assured

that there is a wide difference between India governed by a special court composed of men who have passed their lives among us and who know our wants and capabilities, and India governed by a Secretary, responsible indeed but ignorant, controlled at least by "universal suffrage and triangular Parliaments !" a football of Whigs and Tories Peelites and Manchester men, she should thank her stars if henceforth she is only not worse treated than she has hitherto been. We shudder to think of the probability.

We think we have already sufficient data to enable us to imagine the transcendental sort of government which, in the shape of a responsible and unfettered one, awaits us. Owing to this disastrous meeting English politics have been too intimately mixed up with Indian. We have even now almost a forestate of the benefits that will flow from this mixture. At the threshold of this tremendous change motives of party have superseded higher considerations. We care not to refer to the appointments of Mr. Bittlestone and Archdeacon Pratt cancelled by the present ministry. There is a case which appeals directly to the Indian mind. We believe the rumour is correct which sends Lord Canning back to England. He resigns the government, it is whispered, upon advices received from home. Lord Derby and his friends while in opposition have always attacked Lord Canning. For the sake of consistency, it may be demanded of them now that they are in office to recall the Governor-General whom they had formerly censured. The administration which appointed the noble Viscount at the head of this government having been ousted, his Lordship, it is said, has thought fit to obviate the possibility of a recall by an early resignation.

Now if the case be as represented, we cannot help remarking that this will be the first thing of its kind. The history of British India is a stranger to any such occurrence. There has indeed been one recall of a Governor-Geveral, but the Court of Directors,—the rulers *de facto* of this country,—recalled Lord Ellenborough. Hereafter we fear the Governor-General of India will be a part of the ministry. With every change of that we will have a change in the local head of the Indian administration. The change may be inconvenient enough, but it is inevitable when India is doomed to be a prize of contention to rival parties. Things were ordered better before. The fall of ministries, opposition speeches and the *Times*

affected not the government of India. Even dynastic revolutions in England passed unknown. Henceforth a Reform Bill may send the members of council to mourning, a smart newspaper criticism may kill a Lieutenant Governor, and the Commander-in-chief will have to pay for the satisfactory issue of diplomatic dealings with a continental court.

IX. INDIA IN THE HOUSE OF COMMONS

The first debate in the House of Commons on Mr. D'Israeli's motion for the House to resolve into a committee to discuss the resolutions laying down the principles of legislation upon India has exhibited the best and worst features of the theory of governing this country by parliamentary voice and opinion. Some of the best displays of oratorical power were made, and the acknowledged chiefs of the great parties that wrestle for power fought the battle with a zeal and valour remarkable in the history of each hero. The Chanceller of the Exchequer, the responsible leader of the Tory party and the accredited mouth piece of the ministry in the lower house, spoke with an eloquence, earnestness, ingenuity and power scarcely inferior to the highest attempts which he ever made in the course of his distinguished parliamentary career. The late Premier exhibited a vein of humour and wit which his advanced age has not dried up, and if ridicule were the best of arguments his success would have been complete. Indeed we question whether a speech has been spoken within the walls of the house since Sheridan saw them last which kept the audience so incessantly in laughter. But we think there is higher eloquence than what party spirit inspires and a nobler humour than what a crouching love of self calls forth. The bold, straightforward, cosmopolitan, and patriotic sentiments of Mr. Gladstone, couched in the clearest language and above the conventionalisms of modern parliamentarians, demand the highest praise and admiration. Mr. D'Israeli professes the best intentions for the Government of India. He strongly repudiates the spirit which would make India the sports of parties and the battle field of political contention and an unworthy jealousy. He spoke eloquently of the high principles which should give the people of India the cheapest, just

est, ablest, and easiest Government. But his doings scarcely match his intentions. He talks high but acts poorly. His Bill, though the best intentioned, does scarcely approach that ideal which he paints with such bright and prepossessing colours. It is all very well to say that his scheme will meet all the requirements of India, but we who are to reap the harvest of his labours fail to perceive its beneficial nature. Neither does Lord Palmerston come up to the standard of statesmanship which is necessary for the adjustment of a plan that will govern India fairly, equitably, worthily and well. With less of the philanthrophic spirit which Mr. D'Israeli avows, and with lesser knowledge of India, its wants and requirements, the nature of its various peoples, its diversified condition, and the elements abounding in it which, as Gladstone has justly said, has drawn the line of demarcation between man and man, he has produced a measure equally disproportioned and unsuited to the exigencies of the case. The fatality which, the noble Viscount says, hangs on parliamentary legislation upon India has arisen principally from the mistaken zeal to substitute a body equal to the East India Corporation for the home government of the country, without referring to the policy which should govern its internal working or laying down the principle which should regulate the operations of the local authorities. Mr. Gladstone, whose political sympathies with parliamentary parties have almost ceased, takes a wider view of the subject, and therefore the best. He candidly acknowledges that party jealousy has made the statesmen handling the question of India Government blind to the chief wants of the people and to the principal errors and defects which have underlain the actions of the Indian rulers and have brought the greatest dangers upon their subjects and he calls the attention of Parliament to the condition which India may come to if it were suffered to be the object of party contention.

He therefore warns the Commons to look more deeply into the question, and to put reasonable and equitable limits upon the functions of the executive. Certain politicians have recently raised a cry to have the Governor General of India Lord Paramount in the country. His will shall be the law for the land and shall make and unmake any arrangements that may appear to his single mind good and proper. In short, he should rule India in true oriental style, despotically and nothing but despotically. Mr.

Gladstone, though he does not specify this particular point, plainly invokes the attention of Parliament to the absolute power of action left to the executive authorities. Wars are declared and peaces concluded by them which entail heavy fiscal burdens on the people. Annexations are made and usurpations are effected which rouse the most angry feelings of the Indian potentates against India. New taxes are levied, laws involving nice questions of local prejudices and customs are passed, and measures openly sacrificing the interests and well-being of the mass of the population for the sake of the dominant few are adopted, which all tend to prepare the popular mind for commotions of the kind we have lately witnessed. This despotism, alike unnecessary and dangerous, he would recommend the Parliament to check. And what sensible man, with a knowledge of India, the proceedings of its rulers and the sufferings of its people, will not lend his thorough support to this policy of one of the greatest and noblest living statesman of England. If his recommendations are not listened to, we sincerely believe England will place India in that predicament which will fulfil Lord Metcalfe's prophecy that if it be lost to England it will be lost in the House of Commons.

X. THE TRANSFER*

Every one remembers the splendid vaunt of Lord Byron—"I awoke one morning and found myself famous." The natives of this country were in nearly a similar situation on the morning of Tuesday last. They awoke and found themselves subjects *in toto* of Her Gracious Majesty the Queen. The corporation which hitherto shielded them from the extravagance of Ministers and the ignorance of Parliament is extinguished and they have in return found doubtful advantage. A certain set of growlers have recently talked a great deal of the want of loyalty of their native fellow subjects; but we know how many Hindoos and Mahomedans have retorted by saying that after all they were not so much to blame for it, as the loyalty they could afford to show laboured under the inconvenience of being subjected to a process of Arithmetic, of division and sub-

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* September 9, 1858.

division, and that they were not quite certain as to who their sovereign was. But casuistry and constitutional law have not last been superannuated with the reign of the Company. Henceforth there are no moral or legal blocks in the faith of Indian allegiance. We fancy the *Hindoo Patriot* is bigger for the occasion.

Jesting apart, there is no Indian but must have been scandalized at the conduct of parliament. With whatever eclat Her Majesty's direct reign over this country may be ushered in, there is in all minds impervious to the cry and congratulation of the action an invincible distrust, a feeling of insecurity. Queen, Lords and Commons combined to push the India Bill to enactment in a hurry that would be ridiculous if it did not appal. There was in the country a distaste, perhaps disgust, for the subject that was too universal and inveterate to be possible of concealment, and the Houses unanimously tried to get rid of the question. Every clause in the Bill affected the fate and welfare of an Empire in some points grander than any in memory of the sun, and of a people, whatever interested detractors might say, as much formidable in numbers as they are inoffensive and sensitive by habit. But it did not excite half the discussion that an ordinary Railway Bill would. To argue in defence of such culpable neglect that the season had already advanced too far, that the atmosphere of London had become insupportable, only proves a horrible intensity of selfish feeling in the arguer. The stench from the Thames might have been too sickening to the tender nostrils of honourable members and "noble Lords; the season for sport might set in; but does that justify the selling away of a nation at the antipodes? The people of England might be ignorant, they are really quite ignorant of India, but for that very circumstance they should take pains, and, above all, time, while at Indian Legislation. It is no small sin we have pointed out.

Let it be remembered that all we have said is independent of the merit of the present act. Our protest is merely directed against unnecessary and immoral haste; for what may we not in future expect if even ignorance does not insure us against rash and precipitate measures of the most sweeping kind—if even the horrors of the mutiny, so fresh in every mind, do not keep alive and concentrate once and for ever the attention of Englishmen towards this region, and induce them to forsake their ancient indifference to

Indian subjects. The transfer might be the best possible thing for us, but we are terrified at the pace at which the theory has travelled to practice. We are surprised that, leaving aside the question of morality, no one in either house remarked that it was not even decent to carry the Bill through with so unbecoming a speed. What wonder if Metcalfe's apprehension be realized. We know that America was lost in Parliament and on the responsibility of ministers. No double government enforced the tax on tea.

As to the measure itself, we must confess it has come a little too early with the revolt yet unsubsided, it was by no means expedient to make extensive or radical changes in the constitution of the country. All reforms for the reorganization of the Empire should have been postponed till the Empire shall have again been fully ours. But now, while the country still swarms with at least two hundred thousand rebels, all the efforts of government, faction and partiotism should be directed towards their subjugation. No people are better convinced of the stability of British power than the people of Bengal, but the disaffected in the North West will be sure to make fun over the "change," and say that before they have quite convinced themselves of their further tenure of power in this country, the English are transferring the sovereignty of India from one body to another. It only the more redounds to the credit of the East India Company, that with a Bill in Parliament for their extinction and everybody trying his utmost to hamper their movements they have, far from exhibiting indifference to their duties, succeeded well nigh in conducting the Empire through one of the most tremendous of calamities. Such an amount of moral readiness is rarely to be observed. A "responsible Secretary of State," anticipating the speedy dissolution of the ministry would in similar circumstances drown British India. All things considered it would have been well to listen to the amendment proposed by Mr. Gladstone.

XI. THE PROCLAMATION*

Great speculation is afloat as to when the proclamation which is to summon the inhabitants of British India to render their dues and

* Sep 23 1858.

homage direct to their anointed sovereign will be proclaimed by the sovereign's representative in this land, and what it is to proclaim. It is evident that the mail of the 9th August did not bring out the necessary instructions. The proclamation therefore is not to be expected before the mail of the 26th of that month reaches Allahabad. Much doubtless will depend on the literary merits of the document, much more on the merits of the translations. The original will probably be composed by the Governor General himself and if it only approaches in power the Barrackpore address, the paper will not be one unequal to the occasion. What the proclamation ought to contain has doubtless been a subject of heavy cogitation among our local politicians. It is strange, however, and we have been somewhat struck with the strangeness of the matter, that not one of the numerous critics of the present administration who fill the columns of the Indian journals with censures, advices and warnings addressed to the Governor General has ventured upon a draft of the document. Where are the great geniuses who have saved India through its perils of 1857 were it for Lord Canning? Here is for them, a glorious opportunity for signalizing and proving their capacities. Shall it be neglected? Those that framed the great petition—immortalized at least by mention in these columns—ought to make an attempt. It would be a more cruel and more conclusive condemnation of the Government than dozens of ill-digested and ungrammatical paragraphs which convey, to be but rejected, the wails and howls of an obstreperous faction to a public occupied with weightier and more serious thoughts. We fear our exhortation will remain fruitless. One journal has attempted one section of the forthcoming proclamation, and it has made the British Government confess to the habitual commission of fraud in the prosecution of its ends.

The proclamation will doubtless do justice to the rule of the East India Company, point out in firm tone the great benefits that rule has conferred on India, tell our countryman that whatever their grievances they committed a deadly offence in rebelling, offer them hopes of forgiveness, ask them to open their eyes to their own interests, assure them the liberty of thought, speech and person, guarantee them the free exercise of their religion, warn them of the danger of listening to false counsellors, and command them to yield

unhesitating, unqualified and undivided allegiance to the sovereign who proclaims to them her will.

But whatever the literary merits of the proclamation may be, a great deal will depend on the timing of it and the attendant circumstances by which it may be ushered. Can nothing be done to seize Indian attention, bid it look for a great event, and prepare it to receive the new order of things with awe tempered by hopefulness? Can not a preliminary Gazette, like a herald of old, be sent forth to announce the approach of a more important Gazette? A Hindoo writer may be excused for suggesting that the Bejoya, the last day of the Dussehara poojahs, be the day of the cannon-firing, and he promises to forgive all bigots their most egregious follies.

The fireworks will make an impression, but they can take place at most in half a dozen places over the continent. The illuminations will of course be more extensive, and their effect will descend deeper. But what is wanted is that the occasion should be one which shall establish a new ceremony, custom, observance, binding without the aid of penal sanctions on all natives of India, and periodical in its operation. We are prepared with a suggestion on this head.

The Hindoo in his daily worship invokes blessings for all those he loves. His sons, his family, even his dependents, are duly remembered in the daily prayers he puts forth in obedience to a rigid practice, not at all more ceremonial than obligatory. Why should he not be commanded by the forthcoming edict to include in his future prayers the name of the reigning sovereign and his progeny. The Mahomedan too makes his daily prayers, and the form he adopts admits of a similar modification. Why should he not be made to do it. No Asiatic statesman would have allowed this opportunity to pass without imprinting on the daily habits of the people he came to govern an enduring mark of the new condition in which they were placed.

XII. THE PROCLAMATION*

The Royal Proclamation announcing the assumption by Her Majesty of the direct Government of Her Indian territories was

* November 4, 1858.

read to a large assemblage from the head of the steps on the northern front of the Government House on the afternoon of Monday the 1st of the present month. The document will be found republished in another column. No power of language could of course come up to the dignity and importance of the occasion ; but, such as the composition is, it does credit to its authors. There are paragraphs in it which do tell, and the concluding paragraph is fully worthy of its place. The Bengalee translation has been marred by the fears of the translator. Had he given himself some freedom, and had he avoided some grossly unidiomatic expressions the paper would have read far better. The delivery was good, a slight preference being perhaps due to the Bengalee reader. We are unable to account for the omission of a Hindi version, and knowing the anxiety with which the Proclamation was looked for by the Mooktears of many chiefs of Tirhoot, Behar and the Chota Nagpur districts, we cannot help condemning the omission as ill-advised.

The matter of the proclamation was just such as was expected. On all the main points of policy the declaration of the Royal will is explicit and perfect. India shall henceforth be governed for the benefit of those who reside in its bosom, their feelings shall be respected, their traditions taken account of, their prejudices and likings not wantonly disregarded. The rights of property, and specially of property in land are to be scrupulously protected from violation ; and above all, none shall—neither sovereign nor neighbour—coerce their consciences.

These are points of policy which may without any great exaggeration of language or sentiment be called eternal principles of policy in India. No Indian sovereign has disregarded them or may disregard them with impunity. There will be people to cavil at the broad enunciation of some of them ; but the universal opinion will decide in their favour. No eloquence of language could have gilded over the ineffable ludicrousness of ideas like those propounded by the witnesses of the Colonization Committee or the waiters on Lord Shaftesbury or the pursuers of an imperfectly mainfest destiny, had those ideas been permitted to make their appearance in the Proclamation.

The circumstances of the time that have brought on the change

are recognized in impressive terms. The amnesty declared is as full as civilized opinion could justify. All those whose right to share in the Royal Mercy could by possibility be endured are admitted to it. The Queen promises pardon and oblivion of their offences to all offenders who have not placed themselves by their acts beyond the possibility of oblivion.

The proclamation will satisfy India. It invokes the strength of heaven to enable the sovereign and those in authority under her to carry out its declarations and intents. It is the heartfelt desire of the sovereign's subject that invocation may not be in vain. On the side of the sovereign as of her people it is doubtless sincere. It remains to be seen whether the executors of the sovereign's commands can raise themselves to the height of their charge, and render into their Royal Master a faithful account of the manner in which they shall have administered her gracious behests.

XIII. THE RECONCILIATION

A fitting sequel to the great ceremony of the other day at the Government House was the meeting held on the 3rd instant at the rooms of the Chamber of Commerce. It would have argued something far worse than the complacent apathy for which alone Calcutta holds itself blamable to have remained silent to such an address from the throne as was recently given to the nations of India. The Queen's proclamation was addressed to a people of keen susceptibilities. It was directed to the heart as well as the understanding, and it succeeded in touching both. It inspired feelings which wanted vent. The meeting has afforded the outlet. It is absolutely necessary to the success of the great change that has been effected in the constitution that it should be received by the country at large in a new spirit. The royal call for the people's undivided allegiance demanded an audible and emphatic response. The meeting was a duty. It was fitting too that it in discharging this duty our countrymen should have followed the lead and guidance of our British fellow subjects. They have been our

*Nov. 11, 1858

political tutors since we have commenced to learn and practise politics. They know these things better. Above all, it was necessary for all to approach the sovereign as one united people, divided, it may be, by differences of other kinds, but united by the brotherly bond of a common allegiance to one sovereign. It was essential to this unity of appearance that our British fellow subjects should lead the rest of the community, and for the right excellent way in which they have done it we tender to them the thanks of the class we represent.

The meeting was very hastily "got up" There was no necessity for convening it so soon. The requisition might have been issued as early as it was without the date of the meeting being made so near. The attendance then might have been better. About three hundred, however, were present, of whom a considerable portion were natives. The Sheriff opened the proceedings in the usual manner by reading the requisition. The first resolution was then moved by Mr. D. M. Mackinlay in a speech which has been generally and deservedly admired for the excellence of its tone and spirit. After referring to the duty imposed upon all loyal subjects in the new order of things, he proceeded to vindicate the conduct of the European community and the mercantile community in particular from the charge of entertaining sentiments of hostility and antagonism towards their native fellow-subjects. He said:

I appeal to all natives who have ever come in contact with us—to the many natives some of them in positions of great trust and responsibility, comprising our large establishments, to the many native dealers and shop-keepers in the Bazaars, with whom we come in daily contact, and to whom we have given and continue to give credit, without any security, to the extent of thousands of pounds, whether they have ever been sensible of any such feeling, whether our demeanour towards them ever changed even in those dark days when the news of the Sepoy atrocities so sickened our hearts. I appeal to them all in the knowledge that their answer will be that there is not a particle of foundation in truth for this calumnious accusation, which has been so industriously circulated against our character here and at home for party purposes.

We shall not take up past differences, and allow thing that have been said or done during a time of unexampled heat and strife to

mar the effects of a social gathering never surpassed in the earnestness and sincerity of its purposes or in the magnitude of the objects it sought to attain whatever may have been the demeanour of our British fellow-subjects during the dark days of rebellion, the cordial manner in which the right hand of peace is now extended to us, effaces all bitter remembrances, and leaves only the regret that classes of the community so identified in interests and duty and so intimately united in many of the highest feelings of our common nature, should ever be divided against each other.

The resolution by a very appropriate arrangement was given to be seconded by a native gentleman, Babu Ram Gopal Ghose. And none more fit, certainly none more ably could have undertaken the part of spokesman for the native portion of the community on the occasion than the Babu. The speech, an extempore one, did not occupy much time, but it very well expressed the sentiments of the more cultivated classes of native society. Babu Ram Gopal Ghose unhesitatingly attributed the rebellion to the ignorance of the people. " My intercourse," he said,

" My intercourse in life has been so much with Englishmen, and I know so much of the vast resources, the great power and the great goodness of the English people and I do not think myself altogether incompetent to offer an opinion on those points (Cheers). If I had power and influence, I would have proclaimed through the length and breadth of this land from the Himalayas to Cape Comorin—from Barmaputra to the Bay of Bombay that never were the Natives more grievously mistaken than they have been in adopting the notion foisted upon them by designing and ambitious men that their religion was at stake ;—for the notion I believe to be at the root of the late rebellion (cheers). They don't understand the English character (hear, hear) ;—they do not understand the generosity, the benevolence of the governing Power, the even-handed Justice with which that Power is willing and anxious always to do that which is right between man and man, without any reference whatever to the fact whether the man belonged to the governing or the governed class (cheers). If all this were known, where would be rebellion in this land ?

Mr. Wye in seconding the next resolution dwelt briefly upon the wisdom of the Proclamation. Mr. Ritchie's speech, in support

was a splendid piece of oratory. It might in fact well take rank with the best specimens of English oratory. Sustained dignity, imagery at once chaste and rich, a pure diction, and a spirit earnest to the verge of impassionateness, rendered it altogether a noble effort, and one fully adequate to the occasion. It should be read entire by those who did not hear it delivered. Mr. Ritchie dwelt ably at length upon the duty of Englishmen viewing and treating the people of India as fellow-subjects bound to them in a common bond of loyalty.

Altogether, in the meeting were fully realized those objects for which it had been convened. Our dissensions had unfortunately reached the foot of the throne. The sovereign will perceive, as she receives the loyal address unanimously voted to her on the occasion, that her Royal Proclamation has acted as a herald of peace. The address conveys the sentiments of the highest portion of every class of her subjects in India, who having in honour to her throne sunk all their sectional differences have united in acknowledging her gracious benevolence and her unremitted solicitude for the good of the millions she rules.

XIV. THE LOYAL MEETING AND ADDRESS

We are glad to observe that amity and good feeling pervaded those who formed the meeting at the Bengal Chamber of Commerce, to devise the best method of presenting an address expressive of the loyalty and rejoicings of the residents and people of India to our Most Gracious Sovereign on Her assumption of the sovereignty of these realms. The meeting was opened by Mr. Dundas, the Sheriff, and the speeches delivered by Messrs Mackinlay, Wyllie, Ritchie and Babu Ramgopal Ghose were worthy of the occasion. The sentiments of the respective speakers were most noble in themselves, and enunciated views and objects which can not but carry conviction to the hearts and bosoms of every loyal subject of the Crown whether British, Hindu, Moslem or Jew of the absolute necessity which exists for the restoration of that friendly and amicable feeling between the governing and the governed races of Her Majesty's subjects, for the cultivation of peace and the growth of arts and civilization in these

realms. We must aver that we have been greatly delighted at the manly and Christian sentiments of Mr. Ritchie which were expressed with vehemence, fervour and emotion fully expressive of the right loyal and truly British feeling of the speaker. We rejoice the more to find that that gentleman, who must be acknowledged without cavil by all to have spoken to the sentiments of a true Englishman, not biassed by party feeling or governed by selfish motives, bore full and ample testimony to the right loyal feeling to the government of the Bengalees which it has been the object and aim of the party of the blood and scalp school to ignore for the attainment of selfish ends. It must be a matter of congratulation to all if the assumption of the Government of India by Her Majesty proves effective in putting down the politics of the blood and scalp party, in restoring that friendly feeling between the European and the Native which leagues have for some months past been foremost in their exertions to destroy, and to substitute in its place that enmity and antagonism of race which can but produce one result in the end, namely, the 'unting of the growth of civilization and progress and improvement 'ch cannot but prove alike detrimental to the people and to those come to live amongst them. We have no doubt that since the overeign will has been proclaimed it will be the duty and the interest of every loyal subject of the Queen to aid in realising those benevolent hopes and expectations which Her Majesty has so nobly expressed in Her Royal Proclamation. Messrs Ritchie, Mackinlay and Wyllic have justly and truly responded to the call of India's sovereign, and we have no doubt that their views and opinions are shared in by the Majority of Englishmen in the East. But it is to be regretted greatly that the expression of those sentiments has roused the indignation of some members of the blood and scalp school who have anonymously attracked the speakers we have above alluded to through the column of one of our local contemporaries. We feel convinced however that with the restoration of tranquility in India, they will feel ashamed of their disgraceful conduct during the mutinies and of their slanderous attacks on our countrymen and on those Englishmen who have done so much to uphold the British prestige, setting at defiance the same suggestions of some aspirations to political distinction, and that they will be silenced. Mr. Ritchie emphatically expressed his opinion that every Englishman in India

ought to set aside the consideration of self in all political discussions and to look, forward to what would tend to the happiness of the millions of population whom an all wise providence has placed under them for noble objects and ends. And we 'may add that the interests of Englishmen and natives are so involved, that we deem it to be no less the interest than the duty of both to foster amicable and friendly feelings amongst themselves and to labour in the promotion of objects that may conduce to the public and general good and not to subvert them for the accomplishment of selfish ends. Babu Ram Gopal Ghose alluded to the famous speech of Lord William Bentinck in which that nobleman expressed his conviction that the best remedy for all evils in India was education and we may say that education is not only the best remedy against all Indian evils but that it is and would be best guarantee to the stability of the British Empire in the East. And since the sovereign will has ordained that her auspicious reign will be marked by the promotion of all works of public utility, by the introduction of general reforms and by the cultivation of good will and the amelioration of the condition of her subjects irrespective of colour and creed of which no distinction is professed to be observed, we feel assured that a better and a brighter day has now dawned on India and we must trust that by the blessing of kind providence, peace and tranquility may be speedily restored in the provinces infested by civil broils, and our Gracious Sovereign peaceably realise those improvements and works of public utility, tending to the welfare of millions, for the fulfilment of which their destiny has been cast into her hands by an all wise providence.

XV. THE AMNESTY *

Most of our contemporaries expect with the coming proclamation the declaration of a general amnesty to the inhabitants of the revolted provinces. The expectation is not unfounded. The circumstances amidst which the new rule is ushered scarcely leave an option in the matter to those who have taken on themselves the responsibility of the change. Her Majesty's Government have given too many pledges and pledges but too distinct, that their assumption, in

* October, 28, 1858.

the name of the sovereign, of the administration of the affairs of these territories was not to be a mere modification of routine, but the commencement of a new order of things which is to be regulated by a new spirit. The spirit, it has been authoritatively announced, will be a spirit of conciliation—a spirit that shall establish between the people of India and their sovereign such relations as would for ever preclude the possibility of insurrections of the character and magnitude of that which lately convulsed the country. The offer of a general pardon to all those whose crime has been only rebellion would be the most appropriate and ought to be the first form in which the new spirit manifests itself.

A doubt has been raised, however, whether such an offer would be accepted with the cordiality and good faith in which it is made. The doubt is not entirely groundless. Hitherto the Indian Government has omitted no opportunity to impress upon the minds of the insurgents its readiness to forgive past offences of a merely political nature. But its efforts at reconciliation have been far less successful than was to have been anticipated. Whole hosts of enemies have stood aloof, defying alike the power and the mercy of government. Whole hosts besides maintain a posture of more than simple defiance, of strong, ineradicable, stubborn hatred. Waverers by hundreds of thousands keep away from motives positively unintelligible, save in so far that they feel it far safer to acquiesce in anarchy than to live in the ill-extended protection of the British power. Mr. Colvin's amnesty went forth at a time when rebellion was deemed a gaining cause; that of the Governor-General in more limited terms held out hopes but to those who were actually innocent of all crime. The Oude proclamation reached in its mercy men still actuated by the hatred and the expectations of a cause not yet then recognized as the weaker one. The instructions of the authorities in Rohilkund were so liberal in their character and so wide in their scope that disappointment has been found in the mere fact of any number of armed rebels being still met with in the province. These are facts which may well raise a doubt whether an amnesty, however wide in its terms or further delay, will conciliate those roving hordes of insurgents who yet infest whole districts and alone keep a magnificent British army on the alert.

Whatever may have been the actuating motives of the rebels in

holding out in spite of these respected offers of reconciliation, the fact seems to betray a want of confidence in the intentions of the authorities. They do not appear to believe in the sincerity of the professions which extend to the self-convicted rebels the pardon due to the perfectly innocent. And wherefore this mistrust? If the truth be told it would perhaps incriminate the great body of the subordinate officials who were officially charged with the carrying out of the policy of Government. Few, extremely few, of the number of those who administered the details of Government in the reoccupied territories, acted in the spirit of the policy which those most responsible for the state of the country, had deliberately laid down. They, for the most part, have all, since the outbreak been under the influence of the feeling of unforgiveness which follows a state of unutterable fright. Ignorance, the most coarse, could scarcely go further to distort the prescriptions of legal authority, than the low, vulgar poltroonery of the junior officials of the North-Western Provinces has done. Scarcely daring to endanger their means of livelihood by an open profession of their principles, they eagerly adopted the subterfuges afforded by their official position to indulge in brutality which in other circumstances would have ensured ruin to interests far better secured than theirs. From the moment of lower grades of N. W. P. officials were released from their fears for their caitiff lives, they have systematically unwrought the policy of the government they draw their salaries from, and brought to discredit intentions which from the beginning were worthy of the source they sprung from.

Many and sore are the rebukes which the Government has been called upon to inflict upon the wretched minions of its powers in the North West. But the evil has had its effect. A new treatment is required. Men who required to be told that petty *burkundauzes* and *Jemadars* that held offices under the usurpers were no "leader's of the insurrection," must be taught to obey, in a better spirit of willingness, mandates issued in the name of the Queen. An amnesty may be declared, but unless it be accompanied by an assurance that any official who dares evade its purport or contributes to defeat its object, shall meet with the traitor's fate, it will do little besides than attest to the good intentions of the sovereign.

XVI. THE PACIFICATION OF THE COUNTRY *

Everywhere the rebels have been beaten. In field or fortress, in hot or in cold weather, they have been fought, defeated and dispersed. The loss of life among them has been tremendously heavy. They have been convinced of the impossibility of obtaining victory. Yet as military successes gather, the difficulty of pacifying the country appears greater. It is useless beating the enemy in Lucknow, if the only effect be to drive him into Fyzabad diminished in numbers indeed but hardly in real strength. Half a regiment may march from Raneeganj to Rawalpindi without meeting any enemy that it cannot disperse in two hours, but the villages on the road side are as much at the mercy of the rebels as if not a victory had been gained over them. Districts retaken from them have been in more than one instance lost. Soldiers can not be moved from any one place without throwing the surrounding country into anarchy. The results are most lamentable. The civil population are punished by the troops for presumed disloyalty and punished again by the rebels for their adherence to Government.

How long is this state of things to last ? Is the government to wage unceasing war with men who are present in every village on the continent until the last rebel dies ? It is manifest that the rebellion will not yeild to military success alone. If that had been the case it would have been quelled with the fall of Lucknow. The spirit which keeps alive the flame of insurrection is no longer, if ever it was, the spirit of conquest. No vision of Mogul or Mahratta supremacy inspires the insurgents now. They are fighting for existence, for honour. They are fighting, they suppose, to escape an ignominious death or exile still more ignominious. They are fighting from despair. This, it must be acknowledged, is their ruling motive now. Is it not possible to deprive them of that motive ? There are a few whose implacable hatred of the British Government incites to continued opposition. Is it not possible to separate them from the rest ? There are certainly other means than the bayonet to quiet down an excited population. That instrument, powerful as it is in some stages, is wholly inapplicable in others. The knife opens a festering sore and renders cure possible,

* November, 4, 1858.

but the next step is not to repeat the incision daily. The sequelæ must be met by means of another character.

We say the bayonet has done its duty. During the period of its employment the pen was suspended. Civil authority was paralysed when the "will of the General" was the sole law. And our Generals have had reasonable gratification of their wills. No quarter has been given. Whole lines of villages have been burnt down. For miles the trees have been ornamented with hanging peasants wholesale; destruction has been meted out in retaliation for sepoy massacres. Most budmash atrocities have been revenged in kind. An order to discriminate between the guilty and innocent has been derided as "clemency." The greatest charge that his enemy could invent against one of our first statesman was that he reprieved a hundred and fifty prisoners. All this might have done good; but more good remains to be done. The object was two fold, namely, to vindicate insulted honour and to govern the country. The latter is a necessity as well as the former. Honour has been vindicated: it remains to inaugurate government. Let not the last plea of exhausted statesmanship, the plea of Ferdinand and Louis Napoleon, be urged so soon. The policy of conciliation, so much in men's mouth, has, we contend, not been tried. The cowardice of subordinate officials frustrated its early action. Now contrary tendencies are fostered on a mistaken point of honour. It is supposed that if pardon be given it will be ascribed to weakness. The king is one, but the subjects are many, says the Sanskrit Proverb. There is no dishonour for the one to soothe the many. The king doth it not to save his person, but his kingdom. The Government of India has struck down armed opposition wherever it has dared to raise its head. Opposition now escapes only by flight. An amnesty, judiciously discriminating between different grades of criminals would now calm many troubles. And when could there be a better time for a grand act of mercy than the hour at which by a fortunate accident the sovereign of these realms has an opportunity to proclaim her reign in her own person over the greater portion of her empire?

THE ARMY

I. NATIVE GENTLEMEN OFFICERS

A recent general order of Government confirms one issued by Major General Reed, who succeeded temporarily the late General Anson* in the command of the Bengal army, granting the commission of Jemadar in one of the irregular Cavalry Regiments to a couple of native gentlemen " in reward for the gallant and faithful services of the family." Similar appointments have also, we believe been made in the Punjab. There is at least a speculative interest in the question whether, if the native commissioned officers of the Bengal army had been men taken from a class of society different from and higher than that from which the ranks are usually recruited, a mutiny so extensive and attended with revolutionary crimes as that which has convulsed India for the last eight months could have occurred. One fact is certain. The mutiny could not have been more dangerous. A race of gentlemen officers could not have been actuated by a higher ambition than that which aspired to rule alike over the princes and people of Hindusthan in the name of the effete house of Delhi. They could not have been inflated with a greater vanity than that by which revolted Subadars and Ressalders were poised up into the carriages and seats of murdered Brigadiers and Colonels. In military genius they could hardly have surpassed those who prolonged the siege of Delhi from May to September. They could not have excelled in hatred to their employers the mutineers of Meerut and Cawnpore. In no one respect would they have formed a source of greater weakness or danger than has flowed from the horrors and indulgences shown to hard handed peasant Bahadoors and Sirdars.

Cast up now the other side of the account. How many elements of danger and commotion lie in the organisation of a democratically officered army that are not possible to be found in one officered by men of birth and fortune. The Marshals of Louis XIV never aspired to found dynasties like the low-born

* Commander-in-Chief at the commencement of the mutiny. He was struck down by Cholera before active operations began.

heroes who built up Napoleon's fame and fortunes. In the first place, the well-born form a class who can never combine to effect a purpose. They can never be swayed by such sudden and common influences as drive mobs mad. They among themselves can never have that community of interest and sentiment which gives praetorian revolts their best chances of success. They are jealous of each other, distrustful of their comrades, have to hope much from clinging to the interests and obeying the wishes of their superiors, have little of substantial advantages to expect from even a successful mutiny. Above all, their sympathies must always be with the cause of order. The love of anarchy—the ardent love of wildest anarchy—anarchy such as would enable the stalwart private in the ranks to dictate orders to princes and generals—was the most powerful stimulant that goaded on the sepoys in the recent mutinies. This love of anarchy can never be a predominating impulse with gentlemen officers.

We must have a native army in future, on some one or other plan, and then, we must adopt Colonel Jacob's* theory. We dont know whether in the Scind Horse the native officers are drawn from a higher class of the population than the *sowars*; but judging from the stress laid by the Colonel on the social status of his Ressaldars and Jemadars, we are led to suppose that in the practical working of a system of promotion by merit, the claims of birth and position obtain full regard. The political effects of such a system cannot be overrated. All the higher Military classes, men who however fallen still can draw whole *tomans* from the peasantry of their villages, will identify themselves with the security and glory of a rule under which they may attain high professional distinctions and the most honourable positions. The gratification of hereditary hopes and an ineradicable pride will subdue latent discontent, and the result will be increased efficiency in the army and increased security against military outbreaks.

* Colonel Jacob was one of the most remarkable soldiers of the pre-Mutiny days. He had great inventive and organising genius. He invented a rifle, raised two companies of infantry armed with his invention called Jacob's Rifles and organised the Scinde Horse. These organisations were a part of a comprehensive scheme of Army reorganisation which he had in his mind. The trial of his ideas was interrupted by the mutiny and his death which occurred shortly afterwards. He founded Jacobabad.

II. THE EUROPEAN TROOPS

The feeling which led the men of the Indian Artillery and Cavalry at Meerut to disobey their officers and the Cavalry at Allahabad to fire random shots in testification of their absolution from military bondage* appears to be shared in more or less strongly at all the military stations in India where European soldiers of the Indian army are quartered. The matter would have caused less anxiety if it were certain that the soldiers of the British army serving in India viewed the conduct of the disobedient troops in the light it should be viewed by men wearing the uniform. The officer commanding the 75th foot has, indeed, openly come forward with a protestation on behalf of his own men; and there are, no doubt, other regiments of the same service who are possessed with the same feeling of duty and loyalty. The authorities evidently have faith in those who are par excellence the "Queen's Troops," for the moment intelligence reached them of the affair they countermanded the embarkation of several British regiments returning to England. Still some uneasiness is felt on the point, though the possibility of a collision between the two services has now almost vanished.†

The method adopted in dealing with the disobedient troops is eminently judicious. It would have been hazardous in the last degree to proceed to extremities at once. Nor were extreme measures called for. The majority of the men acted under a delusion. They sincerely believed they had a grievance, that they had been deprived of a right. They had the high authority of Lord Palmerston‡ to rest their belief upon that they were entitled to a bounty on the occasion of what seemed in many ways a renewal of service. They imagined an insult in the omission of a request, on the occasion of the transfer, that they should swear a fresh oath to a new master. Allowance must be made for the operation of these

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* These were incidents in what is called the White Mutiny. The locally raised European Troops of the East India Company were converted into soldiers of Her Majesty's army on the assumption of direct sovereignty. Some of the Company's troops refused to transfer their allegiance. Hence these outbursts.

† Since 1854 when the first battalion of Her Majesty's army arrived in India, the army in India consisted of two elements greatly jealous of one another. The Queen's troops were a part of the British army while the Company's troops consisted of Europeans enlisted in India. Lord Roberts narrates an interesting story of the reluctancy of the officers of the Queen's troops to serve under the Company's soldiers during the Mutiny—*Forty-one years in India*, 116.

feelings in ignorant minds. The Commander-in-chief has therefore wisely decided in pointing out that it was the omnipotence of parliament that had converted them from being the East India Company's soldiers into Queen's soldiers, and calling upon each of them to make a full statement of grievances like a good soldier and an honest citizen. The men addressed appear to have accepted the call in a becoming spirit. They are peaceable, and their demeanor towards their officers is respectful. In the course of a few weeks there is little doubt that the misguided men will come to a conception of their guilt and repentently cast themselves upon the goodness of their sovereign and their countrymen.

The insubordination displayed by the European troops at several of our military stations is, however, symptomatic of a more serious danger than people are willing to admit even to themselves. Probed to the bottom it will be found that the question is not merely a military one. The habitual respect, approaching to a feeling of awe with which the British soldier used to view his officer has within the last few years sensibly worn away. It is not relaxation in discipline or deterioration in the quality of the officer that has done it. There is now more regularity and exactness in the conduct of regimental affairs than there ever were before. The officers, if they have at all changed, have as a class rather improved in knowledge and intelligence, if examinations and tests are signs and means of improvement in those qualities. Our recent military reformers have made it a point to raise the common soldier from the condition of a machine which he was to that of a thinking being endowed with intelligence. The object is very laudable. But are they sure that in the endeavour to infuse a due degree of intelligence into the ranks they have not introduced a habit of thinking as incompatible with military subordination as in civil society it is subversive of order? Critics on the sepoy mutiny have ascribed a great deal of effect to the changed relations between sepoy officers and their men. Perhaps the relations between the British soldier and his officer have undergone even a greater change.

The present attitude of the British soldier in India suggests another remark. Campaigning, specially against scattered bodies of rebels, is calculated to relax discipline. A degree of license is necessarily taken by the soldiery which the most rigid enforcer of

the articles is compelled to pass over. A Marlborough or Wellington would be obliged to tolerate a great deal of misconduct under such circumstances as have beset the European army in India during the last two years. But have not the limits of necessary indulgence been habitually transgressed with impunity, and has not European public opinion in India prompted such transgression and rendered it difficult to be punished as it deserved? There is a Nemesis even of outraged articles of war.

III. THE OLD SEPOY ARMY

At length, the order disposing of the fortunes of the Old Sepoy Army appears. The merits and demerits of each corps are succinctly stated, and each regiment received its deserved award. We are not in a position to give forth the precise strength of the reorganized army. It may be sufficient to know that the largest portion of the force which conquered India for British is gone for ever, and that the portion which remains can never again form such a source of danger as lately overwhelmed the best interests of the country.

It was time that something should be done with the host which maintained at the public expense could not be employed for the public service nor be dismissed to their homes without dangers to public tranquility. The remains of the Bengal Army, disarmed and discontented, stood an incubus upon the revenue, nor served the purposes of even a pageant. They are now again formally summoned to the service of the country. The order rigorously excludes every man of whom the Government has heard bad report; and it is evident from the tenor and wording of the order that not a man whose character was suspected has escaped detection. Whole corps are disbanded, and among them are those who bore the brightest laurels soldiers could win. But the destiny which led to their disgrace and ruin was too eagerly sought for by them to deserve a regard in this the day of reckoning.

The measure, conclusive in one respect, requires to be supplemented yet by others. The execrescences are cut off and the healthy parts are reunited to the body politic, but their functions in future must be better ordered than when that body indulged in unwhole

some luxuries. The retrusted and rearmed sepoys will form a force not to be despised on account either of numbers or of prowess. They may most probably yet play an important part in the furthering of England's mission in the East,—in England's wars in Asia. The object should now be so to organize them as to fit them for that purpose. A recurrence to those principles which in olden times made the sepoy so efficient an instrument of extending English domination in India is, as we have erewhile endeavoured to show, the policy suggested as the best by the exigencies of the time. The rabidest of malcontents will allow that the sepoy is, above all and worst of all, a man of feeling. Is there not statesmanship in England sufficient to make him a good and trustworthy soldier of England? Can he not be taught the same fidelity the same reverence which in times gone by made him contribute so largely to the renown of England's arms.

The orders forcibly bring under view the condition of the officers by whom the sepoys were formerly commanded. The regiments struck off, the list had their full complement of European commissioned officers. What is to be done with them? Are they all to be thrown into one common list of promotion and disposal? We find the authorities in England are still sending out cadets for the native army. What is to be done with them or for them? The irregular crops have absorbed many, but the diminished strength of the regular native army will throw out a greater number for employment. The occasion affords means for utilising the services of a large number of public servants who were hitherto doomed to a life of idleness. We hope the occasion will not be neglected.

LAND LAWS

I. THE NEW SALE LAW BILL *

It is difficult to convince the public that Mr. Grant's Bill for the amendment of the sale law is a project revolutionary in its character and one that affects the entire framework of Bengalee society. The country remains in blissful ignorance of the danger impending over it. "The permanent settlement can never be broken,"—this forms an article of national belief ; and dim notions of some change being contemplated in the constitution of middle tenures fall upon the national mind with scarce a feather's weight. The indifference with which the question has hitherto been treated by the class principally interested in it indicates a density of ignorance among the propertied classes of the Bengalee community truly lamentable. The fact that not one remonstrance against the threatened measure has yet proceeded from the interior of the country is a sign of fearful import. In the face of such a state of things the cry for popular instruction and the village school and moral tales in the vernacular appears a mockery. Here is a body of about half a million of the first men among a nation thirty millions strong, with fixed income of five crores of rupees, whose individual interests are at stake, whose social position is endangered, whose political existence is imperilled, but who are scarcely aware of the existence of any such project for their destruction. Talk of education for the ryots after this ! It was stated sometime ago that Louis Napoleon owed the majority of votes which placed him at the head of the French government to the circumstance that a large portion of the French peasantry believed that he was the Napoleon who conquered Europe. French ignorance is confined to the peasantry ; Bengalee ignorance is manifest in the highest classes of the population.

To do battle with a host of governors, councillors, legislators, officials, and editors thoroughly imbued with revolutionary ideas of property and its rights, we have in a whole twelve months, but one solitary pamphlet on the side of the country. The "Observations

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* Passed into law as Act XI of 1859. It is introduced into the Council by Mr. Grant, afterwards Sir John Peter Grant, Lieutenant-Governor of Bengal.

on the New Sale Law Bill," by a member of the British Indian Association would have settled accounts with all these gentlemen if there were a public capable of judging facts and weighing arguments. But then, perhaps, the legislative attempt which has called forth the pamphlet would never have been made. The author of the pamphlet is a gentleman who holds extensive properties in two of the metropolitan districts. The easy inference has thence been deduced that the writer speaks only of the sentiments of the Zemindar class. We may add for the information of those who have drawn this inference that the author, as a Burdwan landholder, owns an interest in putnee properties not very inconsiderable, and if he were actuated only by class prejudices he could not be wholly devoid of sympathy with the holders of middle tenures. We adduce this fact less with a view of pointing out the real position of the writer than of exposing the fallacy of arguments based upon supposed personal interests. The weight of the argument in the pamphlet is to be estimated from the amount of knowledge brought to bear on the subject it discusses and the soundness of the conclusion it lays down. It is not to be denied that the writer of the pamphlet is singularly well-informed on the topic he writes upon. His conclusions remain to be tested. They are five in number :—

1st. That Mr. Grant's Bill is unconstitutional and involves a breach of the Permanent Settlement.

2nd. That the Bill without really giving any additional security to under-tenures will introduce the seeds of decay into the superior tenure which will ultimately prove fatal alike to it and to the inferior tenures.

3rd. That the measure is uncalled for by any real want of the community.

4th. That the Bill in its present form is calculated to increase temptations to fraud, litigation, forgery and perjury to an incalculable extent.

5th. That it is pre-eminently calculated to reduce the present market value of zemindaries.

The first of these conclusions is supported by arguments such as these :—

1st. That it is unconstitutional and involves a breach of the Permanent Settlement. It is unconstitutional because the present

attempt seeks by an *ex-post facto* law to interfere with the existing arrangements between Zemindars and their under-tenure-holders made under the sanction of laws solemnly passed by former legislators and thereby to temporarily enhance the value of the latter at the expense of the former. If existing arrangements, legally made by parties, with a full knowledge of advantages and disadvantages, regarding estates containing millions and millions of acres of land (being in fact the most valuable property in the country) in the course of the 60 or 70 years, be made a game for legislative interference, and mutual arrangements set at nought, very little confidence henceforth will be placed in the immutability of contracts and in the sacredness of property,—which calamity alone no other advantages can compensate. The Permanent Settlement ratified by the British Government with the people of this country admitted in clear terms the right of Zemindars to make such arrangements of their lands as they may deem conducive to their benefit. The present Bill in as clear terms interferes with that right by enacting that under-tenures, created by zemindars with certain immunities and rights, shall have greater privileges given them at the expense of the Zemindars. The plea of "The G. G. in Council will, whenever he may deem it proper, enact regulations as he may think necessary for the protection and welfare of the dependent Talukdars, Ryots and other cultivators of the soil," as stated in Article 7 of the Permanent Settlement proclamation, will not avail, as the dependent Talukdars and others, for whom so much sympathy and affection are now assumed, voluntarily entered into those legal engagements with a full knowledge of all the circumstances in each case. This argument, it will be said, may hold good only as regards the past and not for the future. But why not the future? If Zemindars be not allowed to dispose of their lands to the best advantage, it is a curtailment of the right guaranteed to them.

The indirect consequence of the measure will be still more disastrous. It will lead to the breaking up of the Permanant Settlement. But the Lieutenant-Governor and some of the high officers of Government maintain that, if the permanently settled Estates come into the hands of Government without a breach of faith, it is rather to be wished for than avoided; but will it be

acting in good faith to enact a law knowing and foreseeing the precise effect of that law to be the wished for desideratum ? Will it not, on the contrary, be characterized by duplicity added to bad faith ?

The author, we observe, has omitted one argument on this head often advanced in these columns. Perhaps from the superior knowledge of the class he addresses, our official legislators, he thinks the argument would rather puzzle than enlighten them. Or, more probably he thinks it is wise policy not to involve his reasonings, by quoting history and acts of Parliament, in the contempt with which Indian official politicians hold those authorities. Nothing however can be plainer than that Pitt's India Act, in obedience to which the Permanent Settlement was framed, precludes for ever the Indian legislature from tampering with any of its essential provisions.

The second conclusion is illustrated in the following manner :—

There are imprudent, indolent, stupid and needy individuals among our own Zemindars, as there are in every other class ; their proportion will increase when additional facilities for indulging in extravagance are placed before them. The misfortunes and minority of proprietors and the dishonesty of servants will also go a great way to swell the ranks of this class. These people will, one way or other, be always tempted to create fictitious under-tenures and sell them in another name. A few gentlemen, and among them Captain Crauford,* have thought proper to connect the improvement of the country with the proposed innovation in the sale law, affecting as it does the entire landed system in Bengal. I give every credit to those gentlemen for sincerity, but I doubt very much if they have deeply considered the question in all its bearings. All their zeal and perseverance is directed to only one point, the stability of the under-tenures, a very plausible object no doubt, but if they will take the trouble of weighing all the circumstances, they, if not all, most of them, I am sure, will be convinced that the proposed measure is eminently calculated to involve ultimately alike Zemindars and Putneedars in ruin and destruction. As I have

* A planter who interested himself in improving the fixity of under-tenures before the introduction of the Bill and after it was introduced published aticles on the Bill criticising its provisions about the security of under-tenures and srggesting that the provisions relating to the protection of tenures should be caurried down to the lowest under-tenancies.

stated above, private competition in the sales will cease after a few ineffectual struggles to catch the shadow of estates sold. Government will become the only purchaser. It will find the estates so much shorn of their real assets by fraud and the neglect or incompetence of its Mofussil officers that it will soon be compelled in self-defence to break through all etiquette either by the means of the proposed bill or by enacting other laws and completely smash the Talookdary tenures.

Whatever be the purposes of the author of the Bill or the hallucinations under which Captain Crauford and the class he represents labour, the ultimate effect of the law will be, what the author of the pamphlet describes, a complete smash of Talookdary with Zemindary tenures. The gentlemen who have been so eager to support the projects had better ponder on the preceding observations, coming as they do from one eminently entitled to deference on such a topic, and supported as they are by the testimony of Mr. Halliday himself. The latter gentleman finds fault with Mr. Grant's Bill because it is not one calculated to bring on the crash soon enough. He is impatient for the catastrophe that shall leave him master of the situation, *i.e.*, Lieutenant-Governor of Bengal cleared of every class of its population but officials and peasant farmers.

Under the third head of objections is pointed out the progress that the country has made under the zemindary system. The history is well told, and we are sorry we cannot reproduce it in extenso. The cry of security for under-tenures has been raised principally by the European Planters. The following is a capital hit at these gentlemen:

"The exportation of lac-dye, hemp, and a variety of other articles has greatly increased but very little is due to European agriculturists for their production. The whole or nearly the whole is produced by natives. Talk of improving the country by letting a few thousand bighas of lands for khajoor plantations to an European? You may just as well talk of improving the country by a few thousand bighas of rice cultivation. Why, millions of bighas are now filled with khajoor trees by the ryots, and the cultivation will go on increasing as long as its produce remains remunerative. Let beet root or any other sugar get a preponderance in Europe and the cultivation of

that article will be diminished in this country. There is very little indigo made by Europeans in Hooghly, Burdwan, Midnapore, Cuttack, Patna, Rajsahie and some other districts. Are those districts less cultivated and the ryots less happy than in Jessore, Kishnagore, Pabna etc., the great indigo districts ? On the contrary, it is well-known that on the whole the state of cultivation is higher and less waste land is to be found in the one, than in the other. I have entered into these particulars to show that for want of permanency in some classes of the under-tenures the improvement of the country, as far as cultivation and increase of population are concerned, has not been at a stand, and that the improvements introduced by other classes, including even the Government itself, will not bear comparison with those of the Zemindars. The question then hinges upon the point, whether by destroying a wealthy body of Zemindars, able and willing to improve the country for their own sake and with large and compact tracts of land at their disposal and substituting in their place a body of petty landholders, with a tendency to split their estates still more minutely, generally without capital, influence or other means necessary to carry out improvements on a large scale, you will retard or accelerate the improvements of the country. For the question is strictly confined to this narrow compass. It is not between European and Native Capitalists, for now both alike are permitted to purchase Zemindaries, Mocurrories, rent free lands &c."

The fourth objection rests on the incentive to fraud and litigation which the Bill affords. The author of the Bill himself is quoted in support of this objection, but Mr. Halliday's minute contains the most effective exposition of this head of the subject. We have quoted from it before, and need not do it again. The consequence is one of those which make themselves obvious to the plainest understanding.

We close these observations here for the present. The last head touched upon in the pamphlet is the direct unblushing injustice to Zamindars contemplated by the Bill. Some important considerations are advanced under the head. We reserve them for review in a future issue.*

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* *The Hindu Patriot*, Mar. 5, 1857.

II. THE SALE LAW AND THE ZEMINDARS*

The Friend of India has reviewed at length the petition of the Zemindars of Zilla 24 Pergunnahs against Mr. Grant's Bill.† The article written with our contemporary's usual ability shows the extreme weakness of the cause he undertakes to support against the Zemindars. It is, in the main, a confession of the revolutionary character of the measure. "There is no power on earth which can permanently prevent the movement of society or the change in the tenure of land which is the concrete expression of that movement." This is but a genteel and scholarly paraphrase of the article in the Chartist's creed which affirms that "the land is the inheritance of them that dwell upon it." The Indian legislature, in spite of its composition, is, we believe, not yet prepared to legislate in the spirit of this maxim. Our contemporary, however, does not rest his defence of the Bill or rather his attack upon the Zemindars, solely upon Ernest Jones'‡ principle. He examines the petition in detail and answers *seriatim* the arguments advanced in it—with what success our readers will presently have an opportunity of judging.

"The Zemindars," says our contemporary, "oppose the Bill, basing their opposition upon two separate grounds. They argue first that it is a breach of faith, and secondly that it is not required." We admit this analysis of the arguments of the petition as tolerably correct, though the latter part of the statement will require correction. The Zemindars contend that the Permanent Settlement made under the direct injunction of parliament and ratified by every grade of authority competent to ratify that compact between the people and the Government of Bengal will be destroyed by the operation of the law proposed by Mr. Grant, and therefore Mr. Grant's Bill is in breach of public faith. That a breach of faith is involved in this measure is not denied by our contemporary. His argument on this head is that the Permanent Settlement may be broken in many other ways than that opened by Mr. Grant's measure, and that it ought not, as in the long run it cannot, arrest social progress. This we submit, is no answer to the argument of

* *The Hindoo Patriot*, March 12, 1857.
† *The Friend of India*: March 5, 1857.
‡ Chartist leader and poet 1819—1869.

the Zemindars. Let our contemporary deny the fact that the permanance of the settlement of 1793 was guaranteed by all the authorities competent to guarantee it, or the other fact that Mr. Grant's Bill interferes with the Permanent Settlement, and then will the Zemindars have been fully answered. It may be that the parliament and the Indian authorities of that date were so extremely deficient in political foresight as not to have perceived the incompatibility of the Zemindaree system with social progress. It may be that the exigencies of social progress demand that the settlement should be immediately abrogated. But then the difficulty should be met by a revolution, not a legal enactment ; a *coup d'etat*, not a measure wending its tedious passage through formalities at the pace of two stages in eighteen months.

The Zemindars and their critic in *Friend of India* are at issue on almost all the propositions which form the bases of the petition of the former—propositions which are at once characterized by the latter as " of the most astounding audacity." The Zemindars hold that Mr. Grant's law will diminish the value of their estates, and that to deminish that value by *ex post facto* legislation is an act of confiscation. The *Friend of India* denies that Mr. Grant's law will " diminish the sale price of an estate." Here is issue joined on a distinct matter of fact which the public, unskilled in the intricacies of the law of real property in Bengal, is fully competent to try. We contend that the Zemindars are in the right. The *Friend of India* forgets that Mr. Grant's Bill offers " increased security " to under-tenures already existing as well as those hereafter to be created. Now the author of the Bill himself estimates the extent of middlemen's tenures already existing at three-fourths the entire surface of the province. Whatever in the shape of *salamee* or premium the Zemindars have received for the creation of these tenures,—for the alienation of a portion of their own estates in their zemindarees—must have been considerably less than the value of the fee simple into which the contingent interests of middlemen are proposed to be converted. Their estates, hitherto charged with annuities terminable at will, are to be further encumbered by those annuities being declared to be perpetual. And it is denied that Mr. Grant's Bill proposes confiscation ! But this is not the only mode of confiscation which the Bill proposes. There would

be at least some consolation in the fact that what the Zeminders lose the middlemen gain. A simple transfer of value from one class of estates to another by dint of violent legislation does not *per se* diminish the national wealth. But all transfer of property effected against the principles of right and justice—whether it be by the picking of a pocket or the passing of a revolutionary law—are calculated to diminish the sum total of the national wealth. If under-tenures are allowed to survive the capital tenure, such would be the inevitable consequence. If half a dozen under-tenures are created upon the new condition, every estate in Bengal will feel the effect of the measures. No purchaser of a zemindary estate, however unencumbered it may be, will feel certain that he is not purchasing a loss. The most efficient system of registration will not obviate this consequence. The history of the operation of the Irish Encumbered Estates Act, a law which has done more to raise the value of landed property in Ireland than anything else in the history of the island, affords in this respect experience which our legislators cannot explain away.

Mr. Halliday, as our readers know, argues that when a Zemindar commits dafault in the payment of the revenue the contract between him and the State is at an end, and the latter is at liberty to resettle the estate anyhow it choses,—among limited partnerships or peasant propietors. The Lieutenant-Governor hopes by this quibble to effect a destruction of the Permanent Settlement without incurring the reproach of a breach of faith. It is in answer to this quibble, and in anticipation of the amendment upon Mr. Grant's comparatively moderate proposals which Mr. Currie has been instructed to move, that the petition contends that default on the part of the Zemindar can not affect the character or tenure of his estate; and that Mr. Halliday's argument ignores the institutional character of the Permanent Settlement. We should think this answer as rather complete. The *Friend of India* however sees in it only such "cool audacity" as escape observation at first sight. And wherein does the audacity lie? In the assumption that "an estate having been settled after the zemindaree tenure can not pass into the hands of any but a Zemindar." The public, we believe, in spite of our contemporary's energetic teaching, fail to see anything very audacious in this proposition. But, according

to the Friend of India, it is equivalent to saying that "the property of a peer if sold must still be bought by a peer." Our contemporary here allows himself to be carried away to a style of argument which hardly needs refutation. There is no analogy beetween the proposition laid down by the zemindars and the piece of absurdity with which it is parodied. The property of a Zemindar may be purchased by anybady who has never been a zemindar in his life. It is the purchase of the zemindaree which makes him a zemindar, not the being a zemindar which qualifies him to purchase a zemindaree. One of the twenty-four zemindars who signed the petition that has roused our contemporary's fire, seven were of the family of the Mundals of Bowalee. These gentlemen, now standing in the front rank of Zemindars in the district, were, four generations ago, of the class which possess our contemporary's warmest sympathies. The petitioners speak of the institutional character of the "settlement" and our contemporary thinks they mean by it "that there are always to be great landholders, that no social change is permissible, that, no new class can be permitted to rise to power." The Zemindars will wonder by what rule of interpretation this meaning came to be attached to their affirmation of a simple historical fact. That there ought to be great landholders in every state is a proposition which the profoundest politicians of modern times have agreed to consider as true. That the existence of a class of great landholders bars progress is an assumption wholly unwarranted by history. England, it is generally believed, has progressed since the Conquest, and many even believe that that progress has been mainly the work of the great landholders who laid the foundation of their country and countrymen's prosperity by establishing civil liberty.

The Friend of India has "not patience to reply" to the argument of the petitioners "that the measure will be useless;" for, if true, why do the Zemindars attack the measure at all? Our contemporary forgets that a measure may be very useless as regards its ostensible purpose, at the same time that it may do a large measure of mischief by serving less avowed purposes. The petitioners show that under-tenures do not practically stand in need of further protection, that the proposed law will not benefit large classes of under-tenures, that it will give birth for a time to a

large number of ephemeral tenures whose permanence will not be secured by it, and that the existence of the class of under-tenures which is to derive the benefit of the law is an unmitigated evil, while the injury which the law is certain to cause to the community is the ultimate destruction of the Permanent Settlement. We are unable to detect in this reasoning the failure of logic which our contemporary discovers. The Zemindars have nowhere affirmed that the present law is absolutely good because it allows of middlemen. They maintain that it is one of the evils and in the present temper of their legislators it is hopeless asking for a correction of the evil.

Lastly, the scheme of protection for the interests of under-tenures suggested by the Zemindars is derided by our contemporary as utterly futile. The Zemindars propose that under-tenants suffering loss by the default of their Zemindar be declared to have a right of compensation from the latter. This means according to the *Friend of India* that "the planter whose works have been destroyed by a change in the ownership of the estate, is to sue a revenue defaulter whose pauperism is proved by his default, for compensation." The *Dacca News* took the same objection to the proposal. The whole question connected with the Sale Law is one of such difficulty and is affected by so many considerations that we are not surprised to find unfamiliarity with its chief bearings even in quarters the best informed. We have ceased to feel surprise at any degree of hallucination that may be displayed in the comprehension of the question since we learnt that the author of the Bill himself and the Clerk Assistant of the Legislative Council, the first real property lawyer in the country, really believe that the Bill does not affect Permanent Settlement. As to the argument under notice, we have only to point out to the *Friend of India* that a Zamindar is never so rich as when his estates have been sold for default in payment of revenue; that it is this circumstance which constitutes the grievance the Bill is intended to remedy; that the principle of compensation is not a new one to the law of under-tenures as a reference to Regulation VIII of 1819* will prove; and finally, that that if the legislature declare the prior right of under-tenants to

* Patni Taluk Regulation.

satisfaction out of the sale proceeds of estates sold for default, no remedy is so effectual or so certain for the enforcement of the right than the one afforded by Regulation II of 1806 of the Bengal Code.

III. THE SALE LAW BILL

Does Mr. Grant's Bill affect the permanent settlement? There are those who believe that Mr. Grant in his Bill for the amendment of the Sale Law has successfully solved the problem which baffled the previous efforts of Indian statesmen to combine with maintenance of the Permanent Settlement the security of all interests subordinate to that of the tenant-in-chief. A superficial view of the measure introduced by Mr. Grant is certainly calculated to confirm this opinion. There is the declaration that whether an estate be purchased by a private individual or by government, under-tenures duly registered are to remain untouched and entire. But a more careful examination of the project will show that its provisions are in the long run as incompatible with the maintenance of the Permanent Settlement as the less disguised project of the Bengal Government. The permission now for the first time legally given to government to purchase estates at public sales is, in our view, itself an infraction of Permanent Settlement. But apart from that, let our readers take the three following clauses of the Bill together, and judge for themselves whether the measure does not introduce into the landed system of this province as sure a principle of destruction.

XLVI. The entry in the permanent registry book shall be an effectual protection of the under-tenure so registered unless within sixty years from the date of registry, a decree be passed at the suit of Government by a Civil court, pronouncing the registration to have been obtained by fraud, to the injury of the Government revenue.*

XLVII. When an estate is put up for sale under this Act for the recovery of arrears of revenue due thereon, if there be no bid, or if the highest bid be insufficient to cover the said arrears and those subsequently accruing up to the date of sale, the Collector may

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* This is substantially embodied in sec. L of the Act.

purchase the estate on account of the Government in which case the Government shall acquire the property subject to the provisions of this Act.*

XLIX. The provisions of Regulation VII of 1822 and Regulation IX of 1825 shall be in force in every state in any part of which a measurement survey, or local inquiry may be made under this act; and in every estate purchased on account of Government under Sec. XLVII of this Act.†

That estates will, in course of time, be found to have been so far deteriorated in value by the creation of under-tenures in them that when brought to sale they will not fetch a price equal even to one quarter's assessment is a contingency clearly perceived by the author of the Bill. The very fact of his having made a distinct provision to meet this contingency is equivalent to an admission that its occurrence is to be expected. Nor need the general reader be reminded of the innumerable ways which the fraudulent or the improvident Zemindar will be able to obtain the sanction of the Revenue Collector to the registration of under-tenures carved out on large premiums and small rents. If lessor and lessee agree to cheat, the acutest Collector, must fall in their trap. Now, it stands to reason that an estate so shorn of its profits will not long be retained on the hands of the Zemindar. He may manage the profitless concern for a year or two, but he will take an early opportunity of throwing it off his hands. Government purchases it—subject, as is fondly believed, to the encumbrances created and registered by its late owner. Government finds the purchase a loss. It avails itself of the means afforded by section 41 of the Bill to sue for the annulment of the under-tenures which encumber the estate. The results of these suits can hardly be doubtful. The under-tenures are, by very hypothesis, fraudulent and injurious to the public revenue. They can not stand scrutiny. They are smashed. Government steps in, armed with the powers of Regulation VII of 1822‡ and IX of 1825$ and settles an estate on a number of cottier lease holders.

* Embodied in sec. LVIII of the act.

† Embodied in sec. LX of the act.

‡ A Regulation for the settlement of land revenue inceded or conquered tracts.

$ A Regulation for extending the operation of Regulation VII of 1822.

Nor is this the sole way in which the Bill attacks the zemindary system. An estate purchased by Government becomes, *ipso facto*, subject to the provisions of Regulation VII of 1822 and IX of 1825. We have not yet met the man who pretends to fully understand these two regulations. One thing about them is, however, certain. They deprive and regular courts of justice of all powers of interference between the Government and its subject as respects the terms upon which the latter are allowed to hold their lands. The distribution of all rights connected with the soil is, by those regulations, made over, without check or control, to the revenue authorities. Without availing itself of the Civil Courts, Government will have means to destroy the under-tenuers. What, for instance, will prevent the Government, from interfering between the putnidar and his tenants so as to make the position of the former utterly unprofitable. We even doubt whether Government will not possess the authority to pension off the putnidar in an estate purchased by it, just in the same manner as it has pensioned off the Talookdars in the Upper Provinces. In either case,—whether Government gets rid of the big under-tenures by an appeal to the Civil Courts or by an exercise of the arbitrary powers with which the Regulations named vest it,—there will remain nothing but a cottier peasantry ruled by the Tehsildar and Collector.

The danger we have endeavoured to point out loses nothing of its magnitude by the circumstance that we have now at the head of the local Government a politician who views with implacable hatred the existing landed system of the country, who has formed the strongest resolution to replace it by the system which we have shown it is the tendency of the proposed measure to bring about and who with characteristic frankness has avowed his intentions to work the law placed within his reach for the purpose with untiring energy. We will ask our readers to remember Mr. Halliday's words: "Every estate purchased by Government is a population redeemed and regenerated." We beg them to remember that the fault found by the Lieutenant-Governor with Mr. Grant's Bill is that it will not destroy the zemindaree system soon enough. If, however, it be given to him by the legislation to proceed to his work of destruction with the means afforded by Mr. Grant's Bill, it may be assumed that those means will not be used with any

want of vigour. Mr. Halliday, for instance, has no faith in the virtues of registration. We consider his observations on that head eminently sound and wholly unanswerable. Is it too much to believe that, holding such views on the question of registration and resolved to bring zemindaries to sale however they can be brought to it, he should instruct his Collectors to be not over-scrutinizing into the terms upon which under-tenures are created and tendered for registration? The security which Mr. Grant's Bill offers to the zemindaree body is a delicate reed which the Lieutenant-Governor will break down with as much ease as good will.

We have entered into his argument because we believe there are still many thinking men with whom the fact that Mr. Grant's Bill is calculated to break the permanent settlement would be conclusive as to the injustice and impolicy of the measure.

V. THE RENT BILL *

That a very small quantity of wisdom suffices for the government of mankind is a truth that has passed into a proverb. Yet every fresh instance in which the truth is examplefied strikes us with surprise and fills us with regret. The Sale Law Bill was circulated amongst the Collectors of the Bengal land revenue with a view to draw forth their opinions upon a question with the merits of which they were expected to be specially acquainted. The replies elicited displayed a lamentable amount of ignorance upon the very elementary principles of Bengal land revenue law. The Rent Bill was submitted to the judges of the land with a similar object, and the result has been equally unsatisfactory. Of two sudder judges and twenty three district judges who have favoured the public with their opinions upon this topic only one of the former has formed a correct estimate of the importance of the proposed measure, the rest all failing to realize the magnitude of

The Hindu Patriot Nov 14, 1857. The bill was intended to afford security to the tenure of ryots and improve their status. Among its most important provisions were the absolution of ryots from liability to be summoned by the Zemindar, the establishment of the illegality of exaction of abwabs and other imposts and the recognition of the right of resident ryots to hold land so long as they paid rent, without liability to eviction.

the change contemplated by the Bill. Mr. Sconce alone says of the Bill that it "is the most important that ever was or that can be submitted for the consideration of the Legislature." It forms a curious feature in the replies that the great majority of the judges who report upon the measure devote all their remarks not upon the sections of the Bill which propose to determine the status of the ryot or his rights but upon unimportant points in the system of procedure laid down for the trial of rent cases. So much for the ancient argument that the course of training which the Collector's office affords to the Indian civilians but qualifies him for the discharge of judicial duties.

We do not know whether to count it fortunate or otherwise that Mr. Halliday's minute on the Rent Bill does not much exceed a page of foolscap. Certain it is that intelligently as the Lieutenant-Governor of Bengal writes upon all question of domestic policy, he has been unable to sieze the real points in the question attempted to be settled by Mr. Currie's Bill. The most important paragraph in Mr. Halliday's minute offers nothing better than the following:

"Mr. Raikes, Judge of the Suddar Court, observes that, by numerous precedents since the enactment of Section XXVI Act I of 1845, it has been determined that an auction purchaser may eject or enhance at discretion the rents of all tenants, except those of the description specially protected by the section in question; whereas Sections III and IV of the present Bill extend that protection to other classes, and thus run counter to former legislation, and to rullings of the Courts founded thereon. I apprehend, however, that the object of that part of the Bill was no other than that of Act I of 1845, namely to declare and uphold the rights of Khoodkasht and Kudeemee Ryots, which Ryots I take to be the class intended by the expressions 'Hereditary Ryots holding lands at fixed rates' and 'Resident Ryots and cultivators. Perhaps the opportunity should be taken to define what has always needed definition, namely, the term 'Khoodkasht and Kudimee Ryots'."

It is not a definition that the Khoodkasht Kudeemee ryot of Bengal wants. He is pretty well known for all that law gibberish has enshrouded him in. The difficulty of his position lies in the difficulty of proving his character as a khudkasht ryot while an

absurd rule of evidence encumbers the code. By the law as at present administered, whenever a Zemindar institutes a suit for the enhancement of rent, it is the ryot who is called upon to prove that the tenure he has inherited or purchased was a khoodkasht tenure held on a fair rent at the time of the Decennical Settlement. So the inevitable result is that the older the tenure grows the less secure it becomes, thus reversing all the purposes for which the law of prescription, the first law of property was instituted in human codes.

Mr. Sconce grapples with the question with greater force:

"I do not say, however that, in using an uniform definition, the difficulties which daily arise for adjustment and adjudication are effectually solved. It may not be doubtful that a khoodkasht ryot has a right of prescriptive occupancy, but a prescription grows and is constituted by the effluxion of time, and thus an occupancy which being immature and new, does not amount to a permanent right by long recognition becomes eventually prescriptive. Rights, like customs, may be imperceptible in their origin and progress, which nevertheless in time we do not hesitate to characterize and to perpetuate. The last sentence in section V of this Bill appears intended to create a right of prescriptive occupancy in favour of a resident ryot with respect to land recently acquired by him. Possession and payment of rent for three years, supposing the tenant's right not to be otherwise limited by a written engagement, here create a right of occupancy. This provision it is sure, will be confined to land newly acquired by resident ryots. Land not before held on a prescriptive tenure, becomes, after three years, included within the older land of the ryot and subject, I suppose, to the same condition of occupancy and, it seems to me, as mere occupation for a limited period restricts the proprietor's right of ouster, a similar provision should be made in favour of other ryots by reason of prolonged occupancy.

" I believe that the experience of all of us shows that it is in vain to look for precisely marked distinctions between the old and recent occupancies of ryots. The term *kuddeemee* which is merely old khoodkasht, appears to signify the occupancy of land which is peculiarly a ryot's own. and for which others can bring no claim on an equal footing. But distinctions of a broad and general kind are sufficiently noticeable. On the one hand a khoodkasht ryot is

known by a continued occupancy, by an occupancy continued at his own will, also by the silent sufferance of the Zemindar; and on the other a temporary occupancy is most usually marked by circumstances which are incompatible with a permanent right such as by recent and accidental acquisition by variable exception, or by lease for a limited period. I should prefer, therefore, to take twelve years' occupancy, recognized by the Zemindar (mainly by the receipt of rent but possible also by other circumstances) to constitute a right of prescriptive occupancy; except that an occupancy renewable at the discretion of the Zemindar, may be inferred from the express terms of a written engagement, or from the general terms of a deed taken in connection with the circumstances under which the tenure originated or was continued. "Where there is no written engagement, twelve years' occupancy alone will be sufficient to guarantee a permanent right; but if there be a deed without an express condition to quit, the mere termination of the lease will not impart a limited occupancy unless that be inferable from the circumstances of the case."

This suggestion is applicable only to a case of ordinary suitors for enhancement of rent. To apply it to a case of the auction purchaser would be to deal a blow to the permanent settlement that may prove eventually fatal. It is essential to the stability of that settlement that when an estate is encumbered so as to reduce its income below the *jumma* it is assessed at to the public, its sale for the recovery of arrears should place it at once in the condition it was in at the date of settlement. To allow any class of ryots immunity from increase of rent on the ground solely of twelve years' occupancy without challenge would infringe this fundamental principle of our landed system and offer inducements to improvidence on the one hand and fraud on the other to revel at the cost of the nation's weal.

That part of Mr. Currie's Bill in which he endeavours to provide a remedy against the khoodkosht ryot being converted into a tenant at will—a condition he is fast drifting towards—is obnoxious to precisely the same objection and some others too. To make residence the whole essential of khoodkhost tenancy is to injure irretrievably the grand bulwark of the permanent settlement. The attempt was ever before made to convert all chupper bund ryots

into khoodkosht ryots, but the good sense of the legislature of the time baffled the project.

VI. THE "ONUS PROBANDI."

The Bombay Times republishes some opinions given by Mr. Dickinson, a gentleman who practised for many years with distinction in the Supreme Court in Bombay, on the proceedings of the Enam Commission.* The trained mind of the barrister has at once laid hold of the true evil. Mr. Dickinson lays the chief stress upon the hardship of compelling the Enamdar to stand as a plaintiff for the maintenance of his rights. Everybody having the slightest practical knowledge of the law knows, what Mr. Dickinson has to tell the ignorant part of the public, that, in the vast majority of cases, the position of the plaintiff is an "unfavourable" one. When the contention turns upon a point of law it is so; when upon matters of fact it is extremely so. The man who is called on to prove that what he holds is by right is put in a position of sufficient difficulty if he is to justify his possession on the ground of legal entitlement. But when he asked to show that his right exists because such and such things occurred at such and such a time, he is placed in a state in which he is very much at the mercy of his opponent. What then shall we say of the position of the suitor who is called upon the more peremptorily to produce his proofs as the efflux of time renders these proofs more and more unattainable.

And this precisely is the case with the Enamdars and all ryots having any rights better than those of a tenant at will. The Enamdar who is called to prove the validity of the grant by which he holds his Enam has to prove that the grant was made before a particular date, that it was made by one possessed of authority to make it, that it was not a terminable grant or grant restricted as

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* The Enamdars of the Bombay Presidency who held tenures from the Mahratta rulers claimed large immunities from land revenue which went up to about a fifth of the land revenue of Bombay Presidency. This led the Government to institute an enquiry into their claims and in 1852 the Enam Commission was appointed to enquire into these claims. The Commission discovered extensive frauds and as a result many titles were rendered invalid and the claims of most enamdars were not proved. This led to great dissatisfaction in the Bombay Presidency and at the outbreak of the mutiny the Commission was directed to stop the enquiry.

regards descent, that it was registered at some prescribed period, that it has not been forfeited by some subsequent act of the grantee, and similar other facts. It is obvious that few titles can stand such an inquisition. Most Enams were granted without any document attesting the grant. Documents are lost, or they decay and become liable to suspicion in the course of ages. In no case are there documents found drawn up in terms of that fulness and precision which the resumptionists hold to be indispensible to the support of a title. The difficulty of collecting proofs increases as the Enam increases in age.

The pretence for maintaining this system of gross injustices and absurdity is, as given by Mr. R. D. Mangles in his evidence before the Common's Committee of 1833, that in India all land, by the common law of the country, is subject to rent, and that when anybody claims to be exempt from its payment he claims a special privilege to which he is bound to prove his title. If by common law is meant an ultimate general law, a law to which all other laws are mere addenda or exceptions, Mr. Mangles and the resumptionists propound a transport fallacy. If it be a fundamental law of the country that all land is liable to rent or taxation it is prior law that all property belongs to the possessor until somebody else proves a better claim to it. The rule of evidence suggested by the resumptionists would, if fairly and fully acted upon, throw the *onus probandi* on the claimer of this preferable right.

On this side of the country there is a class of landholders whose condition, under this absurd rule of evidence, is deplorable in the extreme. Where the permanent settlement was formed, all lands that were not paying revenue were excluded from the assets upon which the assessment was laid, and declared not to belong to the Zemindars within the local limits of whose estates they were situated. On the 1st December 1790,* a regulation was framed by which all lands paying no rent from before the accession of the East India Company to the Dewany were left in the hands of bona fide holders exempted from before from taxation for ever. Lands which had paid no rent between 1765 and the date of the regulation were declared liable to the imposition of rent on suits to be brought forward for that pur-

* Re-enacted with modifications as Regulation XIX of 1793 which is now in force.

pose in the Civil Courts. Lands less than a hundred biggahs in extent, which might be alienated after the date of the regulation were declared to be resumable without the intervention of any court of law by the Zemindars in whose estates they were situated. It is obvious that a manifest and most unfair advantage was thus given to the Zemindar over the holder of the rent-free land. He could always dispossess the *lakhirajdar* at pleasure, alleging the *lakhiraj* to have been created after the 1st December, 1790 and thus throwing the *lakhirajdar* into the position of a plaintiff charged with the liability of proving that the *lakhiraj* had been created and held in bona fide from before 1765. We observe that Sir James Colville has endeavoured in his Prescription Bill to deal with this question, but so far as we can see he has done it very indecisively. A law of prescription forbidding all enquiry into the validity of *lakhiraj* holdings after a certain number of years will open a wide door to fraud and inflict a signal injury on the permanent settlement. To take an extreme case. A Zemindar may settle half an estate on his wife or son and take no rent for it for the number of years necessary to complete the title under the prescription law, and then throw the estate into arrears so as to send it to sale. Well, it is sold, and the purchaser obtains an estate shorn of half its profits, and unable to support its liabilities to the public assessment. A mere law of prescription will not avail for the protection of the *lakhirajdar* consistently with the maintenance of the permanent settlement.

The case of the *ryot* with any sort of right in the soil is scarcely much better. He is not thrown ostensibly into the position of a plaintiff when his Zemindar seeks to oust him or to enhance his rents, but substantially he has all the liabilities of a plaintiff when he is made to prove that his tenure was of a particular description at the date of the permanent settlement. The plea it is always difficult to make good, and the difficulty gradually transforms itself into an impossibility as the time of enquiry recedes further and further from the date of the settlement.

We so far accept the dictum of the resumptionists, that there is a common law of the land to appeal to in such cases, as to hold that no one should claim to dispossess another of the land in his possessions or to increase the rent he pays unless he has a

clear right to do either act by the terms of the general contract called the permanent settlement. It is he who claims this special privilege that should be called upon to prove his title to it, not the person who by the mere fact of his possession has made out a *prima facie* good title to it. It is, we submit, the rule of evidenoe, not the law of prescription alone, that requires alteration.

LANDED PROPERTY IN THE NORTH WEST

It speaks ill for the prospects and character of a people that they call for a redistribution once every twenty years, yet such for ages past has been the case with our neighbours of upper India. Their territory was annexed to the British dominions in India at the beginning of this century. Then we might well suppose, much property changed owners. In twenty years the laws enacted by the Bengal legislature for the regulation of the land revenue had caused still more extensive changes in ownership. The preamble to regulation of 1821, as revolutionary a measure as any recorded in modern history, gives a graphic description of the misery and discontent produced in those provinces by the dispossession of a vast majority of the ancient landholders and of the means by which this dispossession was effected. The commission went forth, and again was landed property distributed according to ready conceived ideas of equity. The landed interests were still not happy. Mr. Holt Mackenzie was not happy. The Bengal Zemindars were more happy than official men liked to see them to be. Then followed the vaunted "settlement of the North-Western Provinces" which made the reputation of so many civil officials but which has dissolved on the first withdrawal of its military protectors. The mutinies have again made it necessary to redistribute landed property in Upper India. How is it to be done is the purpose of Mr. Harrington's Bill to point out.

We have already said that the measure introduced by Mr. Harrington is very inadequate to the occasion. The present is, if ever, the fittest opportunity for remoulding the whole of the territorial interests of Upper India. The country has passed through a revolution, and the minds of the people are not only prepared but even expectant for a change. The old system has failed, utterly broken

down. It had become unpopular before the mutinies, it has become lifeless since. A complete substitute was called for. Instead of meeting this call the legislature simply purposes to reseat ousted landholders in their estates. We do not deny the right of these landholders to be reinstated in their possession, and at less expense, with less trouble and less uncertainty than are involved in ordinary proceedings of law. But we deny that the legislature will have done its duty by simply giving back their lands to a number of dispossessed landholders. Their interests should have been provided for with more important ones in one comprehensive measure. We deny that a return to the *statu quo* is all that is required.

Mr. Harrington in his speech on the introduction of the Bill, gave a clear statement of the circumstances of the dispossession he proposed to remedy. The dispossession was not simply of the weak by the strong at a period of anarchy. It was of the new purchasers by the ancient owners—the Milesian race of Zemindars. Everywhere there seems to have been a concurrence of the tenants in this sort of transfer; at least it is nowhere stated that much opposition was met with from the peasantry by those who displaced the banya purchasers of property. The lapse of generations has not deadened the feeling of supposed injustice rankling in the bosom of the old territorial owners or directed the sympathies of the people generally in favour of the new race of the proprietors. And it is on a community so hopelessly moulded by feudal antecedents that our legislators have been endeavouring to force democratical theories of landed possession.

We yet trust, before Mr. Harrington's Bill becomes law, that the legislature will declare it to be true policy to give back whenever circumstances by way allow it and the purchased or contracted for rights of others may not stand in the way, to give the land back to those whom official speculation, or mistaken theories of peasant proprietorship, or over-assessment has driven from their ancient possessions; to place them upon a footing of permanance and security and to reconcile the settlement of landed relations to the rooted habits of the people.

THE PERMANENT SETTLEMENT

Whatever the faults of the Permanent Settlement, it is the only system of landed tenure, it is clear, which is suited to India. Under it the people will progress and prosper—their civilization will take a visible shape, their sympathies for "the powers that be" will be strengthened and their aspirations after a nationality will be nursed and effectuated. It has proved to be the best source of strength to Government and the most powerful bond which will unite Hindustan to Britain. This fact the sepoy revolt has demonstrated beyond dispute. Statesmen and politicians of the highest order acknowledge it. Sir John Malcolm has justly said that the happy effects of Lord Cornwallis' most statesmanlike measure, in order to be believed in ought to be seen. "This system," observes that far-famed soldier-statesman, "is not less calculated to improve the state of the country and the condition of the inhabitants than to fix upon the firmest basis the British Government in India by securing the attachment of their subjects, and to give, from the obvious principles of justice and moderation on which it is founded, the most favourable impression of the English Government to all the nations of India." If there even existed any doubts as to the truth of this remark, although it bears the authority of a name which Englishmen are proud to honour, the insurrection, we repeat, has incontestably dissipated them. It is idle to contend at this time, when the event apprehended has been happily averted, that had it not been for the Permanent Settlement, the whole af the Bengal Presidency would have been now lost to England, and who knows but that the terrible effects of such a crash would most probably have been felt in the extremities of the Punjab and the farthest corners of the Malabar and Corromandel coasts. We are not disposed to call the apprehension of the Sepoy outbreak developing itself into a general revolt "as a groundless panic"—for we know there are ample combustibles for such an explosion—and we therefore sincerely believe despite the verdict of the *Times*, that the mutiny at Dacca and Chittagong whould have been a serious affair had not the people been trained under the instincts of feudal allegiance, and had not their lords, conscious of a high and enormous responsibility to the state which recognised them as its strength and glory, significantly re-

pudiated the rebel cause, and opposed a resistance none the less effectual because unostentatious. If the rebellion is purely a demonstrative movement of the Hindustani race as *Index* expounds and which the Madras *Athenæum* accepts, Behar must be allowed to contain a strong and large modicum of that national element of India. The temper of the people of that province is the most excitable, and their constitution being far more hardy and enduring than that of the men of the Lower Provinces, they are apt to burn their fingers in a hot flame more than any other natives of the country. But what held them fast when the opportunity came? Was it the roaring cannon, the bristling bayonet or the sharp sword? Certainly not: It was the social and moral influences of their feudal lords whose words were more potent than the temptations of country's wealth, of landless independence, of unrestrained indulgence and irresponsible plunder. The fact of their acquiescence to the rule of the feudalism had trained them up in a civilization under the influence of which they could have some conception of law and justice, gratitude and prudence, truth and error. The career of Kooar Sing rather than invalidating, confirms the justness of our observation. He was the only black sheep among the flock of the great landlords under the Permanent Settlement. He was a ruined man, with no pledge to society except his fancied wrongs. He led his foot astray and none were so insensible as to follow in his footsteps. The zemindars of Behar remained firm in their position and only pitied his foolishness and stupidity.

But not only is official testimony, though reluctantly, made to declare for the continuance and extension of the Permanent Settlement. Non-official politicians of great weight recognise its merits. Two of our best journals—best as they seldom put their pens on paper without thinking—we mean the *Friend of India* and the *Dacca News*, both allow their suffrage in its favour. The *Friend of India* which has the best opportunities to form philosophical opinions on Indian questions and which never says any one thing without some deliberation, however ostentatious, has after a continual sifting of theories and facts adopted it as its deep and deliberate conviction that the Cornwallis system is after all not so bad as its enemies would have it. The *Dacca News* edited by a

thorough-going planter, whose twenty-five years well conducted experience divides the sobriety of truth with the elasticity of humour, is a staunch advocate of the Zemindary system of landed tenure. The only other journal whose opinion on such subjects as the one now under consideration is always valuable is the Madras *Athenæum.* This paper has a superstitious attachment for the democratic measure of Sir Thomas Munro,* but the earnest voice with which it describes its evils unmistakably calls for the system which has preserved the peace and promoted the prosperity of Bengal under the most terrible convulsion which has ever fermented Hindoostan. If the opinions of the highest statesman and best politicians of the country almost unanimously certify the valuableness of the Bengal system of landed tenure, the course of Lord Canning's statesmanship is manifestly clear. His Lordship must bear in mind that his mission is two-fold. He should save the existing empire and should lay the foundations of a new one. The one work has fairly commenced, the other will task his utmost courage, sagacity and energy. There are many in England, who in a false sentiment of sympathy for the poor and labouring, inveigh against the establishment of Indian feudalism. They will cry against his Lordship for any attempt to adopt it ; and perhaps, the religious class—but not the thinking portion, *vide* the *Friend of India*—will join, in the cry. But the true statesman, the Man of God, should move with the finger of providence. Absurd clamour should not silence his zeal. If the cultivation, growth, prosperity and happiness of a population, and the safety of an empire are his principal responsibilities he should not neglect this opportunity. This is the fittest time for land reform. The old system has crumbled into pieces, but another of greater antiquity has been tested to be stronger and sounder far, and why not then at once adopt it and carry it out through the length and the breadth of the land.

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* The system founded by Munro is the Ryotwari system still in vogue in Madras, by which settlements are made directly with ryots by the government. For its history and economic effects *Vide* R. C. Dutt's *Economic History of British India.*

INDIGO.

INDIGO PLANTING IN NUDDIA

The complaint so bitterly urged by Mr. Mackinlay before Mr. Wilson of the body he represented being systematically maligned by journals in the interest of the native community is best answered by documents like the one we publish in another column. It is not the *Hindu Patriot* or the *Indian Field* or any newspaper edited or owned by natives that makes and proves the charge against one of the most notorious of the Nuddia planters. It is the Lieutenant-Governor of Bengal himself, a man the very personification of impartiality, who condemns the planter,and avows his conviction that outrages like those committed by him are common in the indigo growing districts. It is the Commissioner of the Division who, sitting judicially on the cases, reports their heinous nature., It is the Magistrate, through whose neglect and supineness much of the oppression remains unpunished and the chief oppressor goes wholly impunished, that bears testimony to the guilt of the offenders. It is his executive assistant, a European of the class who according to Mr. M. Mackinlay, are the fittest representatives of Englishmen everywhere in the world, a participator to a certain extent in the guilt he sought to screen, who admits the offence. No malignant native or native journal passed the censure or tried to see justice overtake the audacious breaker of laws.

These things, if they are calculated to inflame the native mind against the non-official class of the European community, are no less calculated to make the people dissatisfied with the existing order of administration. A system that permits a needy adventurer to set himself up in a position from which with impunity he burns and plunders villages, makes away with the persons of obnoxious men, imprisons and flays them, and levies contributions on all around, can not be tolerated by a people who in their days of greatest oppressedness never wanted the means of swift and effectual revenge. The law which places the European above itself at the same time deprives the native of his means of self defence. If the law but ceased to operate for a single day in the Nuddia district,

justice would exact all her dues in that one single day. The local ministers of the law have grossly failed in their duty. It is no wonder that the local population to a man charge them with the worst motives for the course of conduct they have been pursuing An entire change in the personnel of the administration extending to a pretty high grade in the official hierarchy, can alone open the way to redress for past wrongs and security for existing rights.

There was a time when the native could hold his own against the most audacious and rapacious of European adventurers in India. It was when these latter were responsible to a central despotism beneficent in its rule, and endowed with large sympathies. It was when the local administration was weak enough to leave the natural element of order fairly to operate, and yet strong enough to despise factious attacks. It was when officials felt it their duty to serve the country without looking to the newspapers for reward, and had not learnt to fear the "proceedings of the Indigo Planters' Association." A wholly different order of things now prevails. With the planter, the good will of the Magistrate, or the belief in its existence, is as necessary to the successful carrying on of the factory work as is the farm of the surrounding land. With the Magistrate or his Assistant, the jolliness of the planter and the accomodatious be affords have as many attractions as there are terrors in Mr. Theobald's reports. To ascertain the extent of this intimacy, the Lieutenant-Governor need only call for a return of the number of Police Darogahs and other subordinate officials dismissed, say within the last five years, for coming in collusion with planters or their assistants.

We shall wait to see the result of the action so vigorously and judiciously commenced by the Government of Bengal. Should it eventually appear that the planting interest is not to be coerced into order by the authority and we confess we do not look very sanguinely for a decided or beneficial result—it will then be for our countrymen to think whether appeal should not be made to a stronger power.

INDIGO PLANTING IN RAJSHAYE

The fraud and violence which are the inseparable concomitants of the system of indigo planting in Lower Bengal, have attained their highest point of impunity in the district of Rajshaye, through the power, influence, wealth and audacity of the present set body of planters. That district was before the advent of these developers of its resources, one of the happiest in the country. The ownership of the land was, in the hands of a number of families who believed and felt that there were other pleasures to be derived from the possession of landed property than that of receiving from it so much per cent. higher than government securities yielded. The head of the local aristocracy was a family of considerably old lineage and high birth, distinguished by traditions which made it hold a high place in the estimations of the Bengalee nation. Its influence was exercised beneficially over the whole district. The soil, fertile in the extreme, yielded abundance to the ryot population who cultivated it. Water communications afforded unusual facilities for the export of superfluous produce. The tenantry were contended, and they were hardly at all affected by the vices which are taught in the vicinity of the metropolis. But from the moment indigo planting was introduced, the face of affairs began to change. The planters, destitute of rights in the land, yet unable to prosecute their calling so profitably as they wished, unless they possessed the coercive powers and inflence incident to the position of a Bengal landholder, sought opportunities to acquire landed rights. With their small capital they could not hope to buy up Zemindaries. They therefore resorted to the usual plan of taking farms of shares in zemindaries, and so annoying the possessors of the remaining shares as to compel them to surrender their portions. Thus it was that by a course of violence and fraud, unequalled in the history of any civilized nation, the greater portion of a district larger than Yorkshire passed into the hands of a few indigo planters who set all law and government at defiance.

The latest instance of violence committed by a Rajshaye planter is reported in the *Englishman* of the 11th Instant. Mr. W. Cockburn of the Challah concern in the Subdivision of Serajgunge had possessed himself of a share of the village Gabgatchee in the

usual manner. He wanted the ploughs and labour of the Gabgatchee ryots, who wanted them, as might reasonably be supposed, to cultivate their own lands. In anticipation of a fight two police Burkundanzes had been posted to watch the factory people. They, as usual, were bought up by the planter. Mr. Cockburn rode down one fine morning to the village fields, with more than a hundred clubmen and spearmen. The villagers were found ploughing their fields. They were required to give up their ploughs which they refused to do. Mr. Cockburn got angry, and ordered his men to use force, and then rode away to his factory. The men advanced, killed one of the villagers, wounded two of them, plundered some houses and went away with about a hundred head of cattle. The man mortally wounded had but breath to articulate the names of his murderers. When his remains were being carried to Serajgunge, the police burkundanzes who had been appointed to prevent a breach of the peace tried to have the body carried by way of the factory, so as to enable Mr. Cockburn to make away with it.

These are the bare outlines of a case, atrocious indeed, but not uncommon in its kind, specially in the district of Rajshaye, excaped, (*sic*) Cockburn not being suspected even, by the Assistant Magistrate in charge of the subdivision of any complicity in the affairs. One of the spearmen who was proved to have committed the murder has been sentenced to transportation for life, and two others to imprisonment with labour for fourteen years each. The Sessions Judge was of opinion that a case had been made out for sending Mr. Cockburn before a jury, but the Sudder Judge who passed final orders was of opinion that the Assistant Magistrate had acted rightly in not having committed him. This is the old story over again. Not years ago, a precisely similar case though somewhat more serious in its consequence—several lives having been lost and a village plundered—was similarly dealt with by the Rajshaye authorities. Some of the lattyals were punished, but the factor was not even questioned on the matter. Factory dinners, like parbunnic gifts to Amlah are profitable investments.

The question is, how long will such a state of things be suffered to continue? When outrages of this gross description may be committed with impunity, what security can there be for life or property?

The planter loses nothing even by the expense of defending the wretches who are his tools in these affairs, for, as he gains his prime object of intimidating his neighbouring villagers, his peculiar interests are benefited to an extent much greater than they are injured by the costs of a criminal suit. As for the hired ruffians, they know they are born to end their days on the gallows or in jail. To them, it matters only how soon or late they are brought to either. If ever outraged justice cried aloud for the protection of the law it is in the case of these planting outrages.

INDIGO PLANTING

There is perhaps, at this time, no question of domestic interest in Bengal which presses so urgently for a clear adjustment as the one connected with the system of indigo planting. Not that indigo-plantations bear any considerable ratio to the entire acreage of cultivation in the country; for we have the statement of six leading planters in a formal document that in one of the principal indigo districts "not above four per cent of the surface of the district is at all given up for indigo cultivation." Nor does the number of indigo cultivators bear any large proportion to the population of the country. But it is because a branch of national industry of no greater extent and importance than many others has been made an instrument of most systematic oppression; it is because indigo planting as now carried on in Bengal is a system of organised fraud and calculating cruelty that it has excited such universal indignation. Read through the narrative of a course of indigo factory operations that we have extracted in another column—its truthfulness in regard to facts none durst question—and say whether any amount of benefit which the country may be supposed to derive from the cultivation of indigo would compensate for the manifold and terrible evils the narrative discloses. Did the entire prosperity of Bengal depend on the cultivation of indigo, did the population subsist entirely by raising the drug, it could even then be scarcely reconciled to a system the fruits of which are systematic fraud and spoliation, varied occasionally by violence of a more open and more lawless kind. We have said that the system of indigo planting as it now exists in Bengal is a system of organized fraud and oppres-

sion. This fact, though well-known throughout the country, has not been admitted in those quarters from which relief is to be expected. The legislature has not admitted it. Officials ignore it. The British public do not know it. Parliament does not know it. The civilized world has not an idea of it. We are glad therefore to see the efforts that are being made by courageous and public spirited men. If the British press were made the instrument of such exposures as Dr. Duff has made in the *Edinburgh Witness*; if the local press were to do its duty in reference to the subject as the *Indian Field* has done in some of its recent articles, there would be some hope of an ultimate amelioration of the system. The evil itself, originally grievous enough, has increased with the development of our national industry, and with the enlargement of our trade and resources; and its tendency is to increase in the same direction. As national industry finds more and more scope of action, the constraint which the indigo planting system puts upon it becomes more and more intolerable. As increased trade and resources raise the wages of labour and the profits of capital, forced cultivation, leaving neither wages nor profits, becomes a growing hardship.

Let us see what the system really is. We lay aside exceptional cases. The system generally is this. A lease for a long term or for perpetuity is taken. A factory and works are established with money advanced by a Calcutta firm of merchants. The ryots are called on to grow indigo for the factory, each according to his resources in agricultural implements and the quality and capacity of the lands he holds, and for that purpose are made to take advances of money to be repaid in produce in kind at a price fixed at the time. The lands to be cultivated and their extent are determined by agents of the factory. The seed is supplied by the factory to be paid for by the cultivator. The cultivation is subject to more than the usual risks of cultivation in Bengal. The crop is raised, and carried to the factory, where it is taken at the original valuation. The value is carried to the credit of the ryot's content, which is then adjusted according to the balance struck. The business of the factory, it will be observed, is confined to manufacturing the raw produce into the saleable drug and to send it down to Calcutta for sale.

To the most ignorant reader, the facilities which such a system affords for fraud and oppression would be apparent. It is fraud and oppression from beginning to end. First, there is the essential connection between the factory and the proprietory right over the lands surrounding. What necessity is there, an honest enquirer may ask, for the successful prosecution of a manufacture, for the manufacturer to be the proprietor of the soil on which the raw produce is raised? Why, it is this. But for the tremendous power which the landed proprietor in Bengal, specially if he be an European, wields over his tenant, the ryot would not cultivate indigo at the ruinously low price at which he is made to do it. A ryot who enters into engagements for the cultivation of indigo on a fourth of the lands he holds can scarcely meet the losses consequent to such engagements with the profits of the remaining three-fourths. Again, there is the whole race of factory servants from the dewan to the khalasee to be propitiated. No body of men more incessantly accuse the civil servants of the East India Company of being under the influence of their amlah:

But the last appointed Assistant Magistrate and Deputy Collector is scarcely more helpless without his amlah than the indigo planter without his dewan and gomashta. And as a class, cutchery amlah are saints compared to factory amlah. Then there is the item of interest. The rate at which debts owing by a ryot to a factory swell by the accumulation of interest is such as a pawnbroker in town would stand aghast at. It is a current remark that a ryot who has once touched factory money can never be clear of his obligations while he lives. The ryot as may well be supposed, is not a first rate accountant, nor does he keep books in double entry of his transactions. Disputes about accounts, if carried a little too long or too warmly, may end in the administration of a course of shoe-beating or a night's lodging and fasting in a godown. All these contingencies taken together render the life of the indigo planting ryot one of intense suffering and abasement. Impressment of labour is a necessary part of the system of indigo planting as carried on in Bengal. A shower of rain falls calling for the immediate application of the plough to the moistened land. The oxen and ploughs and labourers of the whole village are at once placed under requisition for the service of the factory; while the

lands cultivated by the ryots for other produce on their own account are left to dry up unsratched. The river is rising, and it is necessary to reap the plant on the churs ; the whole village must stop all other work to save the threatened crop. In the process of manufacture too various operations are carried on by labour similarly impressed. Resistance is invariably productive of such consequences as Dr Duff describes.

The voluminous correspondence which the Planter's Association has published in order to prove that a necessity exists for making laws to compel by summary process the fulfilment of indigo contracts by ryot does in fact establish the unnatural and forced character of the relations between the factory and the ryots. These are sugar manufactures in Bengal ; what sugar-factory thinks it necessary to force ryots to cultivate the cane ! All other raw produce which the country grows is brought by the growers with alacrity to the market ; why is it that indigo is the only article which can not be had for fair and open purchase ? If it be a losing concern to enter into contracts with faithless ryots, why is not indigo grown by hired labour on account of and at the risk of the factory ? There is but one answer to all these questions: The factory never pays a fair price to the ryot for the plant, and where oppression can be practised at once with profit and impunity, it is not in human nature to resist the temptation.

We have always regretted the circumstances which make the indigo planter the chief representative of the independent British community in India in the eyes of its people—the type of the unofficial and ordinary Englishman. He can not help being an oppressor ; the system makes him so ; he must submit to it or give up his business. As a merchant the independent Englishman seems commissioned to diffuse wealth in our villages and towns. As a zemindar he is generally more indulgent, more considerate, than the native land-holder. He is a sure and valuable friend of the artisan. In all these characters he succeeds in making the best impression upon the minds of our countrymen. But while an indigo planter he represents and he is an active agent of a system of organized fraud and oppression. The system is thoroughly bad, and towards its reform should be directed the most strenuous efforts of patriotism, philanthrophy and public spirit.

THE ZEMINDAR AND THE PLANTER

The Planters' Association have presented a petition to the Legislative Council modestly praying—poor oppressed souls—for protection against the combination of ryot's fraud and zemindaree violence by which they are kept out of their just rights. We do not blame them for doing so. Have they not learnt that a great deal of assurance is needed to secure success in life to those who have a precious small deal of desert to win it? Have they not observed how clamour carries the day against reason? Have they not noted how there are Indian Governors, moral poltroons, whom a bit of bullyism may make do anything, even the things they denounced in sententious paragraphs many in number? And why should the lesson have been thrown away on them? Well, they have petitioned the legislature for the enactment of a law to make it a penal offence on the part of a ryot not to fulfil an indigo contract, and on that of a zemindar to induce a ryot not to fulfil an indigo contract or to aid him in evading the fulfilment of an indigo-contract.

We expect to see in a few weeks a Bill introduced by Mr. Currie, of course, in perfect independence of the Bengal Government, to give effect to the petition, and in furtherance of the grand scheme of social reorganization of which the Ryot's Protection Bill is so notable a part. Before, however, the Bill is introduced the public will have a little time to examine the pretensions of the planting interest so demurely set forth in their petition. And let them not throw this time away, for very little of it will be at their disposal after the Bill is introduced.

The case as between the planter and the Ryot was, we trust placed clearly enough before our readers in an article that we published a few weeks ago. We believe we succeeded in showing that the obligations into which the Ryots enter to the factory are in the vast majority of cases forced upon him by compulsion. Practical ethics, and the law which is the expression of practical ethics in every country, have decided that such obligations are not binding on the party acting under compulsion. The case as regards the Zemindar is even less to the Association's purpose. The Zemindar, if he looked to his own profit, could not for obvious reasons have a better tenant than a planter. The planter can afford to pay better

rent than others. The pergunnah chowrassie would yield two thousand rupees less than it does if Mr. Hampton would give up his lease. The risk and expenses of collection are infinitely less. Who would not prefer a solvent tenant paying at once the rental of five villages to a numerous peasantry doling out the rent of cottahs? When Mr. Welby Jackson visited Patkabaria, he urged this view of the question upon the Zemindar to induce him to desist in his resistance to factory aggression. The reply was one that would do honour to the chivalry of any age and any nation. "Sir, we would undoubtedly benefit, but what will become of our ryots?" Ramruttan Roy would add twenty five per cent. to his income if he would but shut his eyes to planters' oppression. The Naldungah Rajah who has had to pay such heavy blood-money for the attack upon Mr. Oram might have sat quietly and in ease, and seen his tenants forced into contracts with which he had no concern. We could multiply such cases *ad infinitum* but it is needless.

The indigo planter, as we showed before, can not carry on his business unless he can appropriate the power and influence of a landholder over the ryots of the villages around his factory. But the planter seldom has the capital to purchase the Zemindaree. His aim therefore is to possess himself of the Zemindaree rights by means less fair than purchase. The most common artifice used is to take a putnee lease from a shareholder or a mortgagee. Of course possession is refused to one who is at once an intruder and an oppressor, and then follow fights, forgeries,—and petitions to the Legislative Council.

PLANTERS' PORTRAITS

The Dacca News has accused us of indulging in vague generalities against the planting interest, and calls upon us to name names. We do not think the call a fair one. It is not required of the journalist that when he denounces an abuse he should denounce by name everybody who benefits by the existence of that abuse. We laid all the evils, and they are sore and heavy, of indigo planting in Bengal on the system pursued by the planters—a system, as

we said, of organized fraud and oppression, a system which would corrupt the morals of a saint if he brought himself within its scope. It could serve little purpose if we showed in proof that Mr. So and So had after three years residence in a factory become all that the editor of the *Dacca News* describes himself to be. However, we have no objection to make a trial of the course suggested to us. To us it is a painful one, but we shall be sincerely glad to find that by viewing themselves in the mirror of these pages, the planters of Bengal have discovered their defects and tried to mend them.

There is an indigo factory on the Matabhanga river within six miles of Kishnagurh, the capital of the Nuddia District. It belongs to a gentleman now absent from the country, and is managed by his son, a young man under thirty. The factory, as usual, has, talookdaree lands attached to it. The young gentleman has already matured himself in all the tactics of Zemindaree and planting life in mofussil Bengal. Now our readers need hardly be told that nothing is so eagerly desired in mofussil Bengal as the sort of influence which enables a person to prevent his tenants from seeking justice at the hands of the established authorities, and to put himself in the position of those authorities. Mr.........has succeeded in attaining this degree of influence. Native Zemindars attain this influence by sheer force of lathi and law. European landholders and planters have a less expensive and riskful mode of securing it. Their first step is to proclaim in their elaka that a perfectly good understanding subsists between them and the Magistrate of the District. Mr..........has done this part of his business most successfully, and he has been aided therein by sundry interchanges of visits between him and Mr. Cockerell, the magistrate. Thus secure in people's fears he has taken the bolder step of taking into his own hands the task of administering the law to his tenants and dependents. His factory contains a prison room, and is duly furnished with rattans, iron manacles, handcuffs and the other requisites of Foujdaree Administration. A sample or two of the manner of his administration will suffice to show how this sort of honourary magistracy works. A fire broke out in a house, the owner was summoned and fined. A neighbour of the sufferer who had a dispute with him was liable by all rules of mofussil logic and mofussil ethics to be charged with the act of incendiarism ; he was

summoned and fined sixty rupees too. A regular account is kept of these fines, which within the first three months of the current year amounted to seven hundred rupees. Corporeal punishment is administered in all cases of contumacy, foremost among which are reckoned complaints made to the established authorities. Thirty is the minimum number of stripes awarded at a time, and sixty the maximum. No one is to speak of Mr..........by his name, but he is the chota shaheb. A gwalla who infringed this law was punished with fifty stripes. The marks of stripes are still on the body of this man as well as of:

Golab Biswas of Nidirpota who received 30 stripes.

Ramchandra Banerjee of Chittersaul who received 30 stripes.

Madhub Rajbungsee of Betna who received 30 stripes.

Dhonye Shek of Moochee Foolbarea who received 30 stripes.

Madhu Mondol's brother of Foolbarea who received 30 stripes.

Khooderam Ghose of Gobrapota received 52 stripes.

To be on good terms with the Magistrate is a great thing. To be known as on good terms with that functionary is a still greater thing. But the greatest thing of all is to create an impression that the Magistrate has a pecuniary interest in the working of the factory. Mr..........has succeeded in creating the last mentioned impression.

We have resolved to omit in these sketches all reference to private character. Good-fellowishness, however, is so universally attributed to the Bengal planter that it is impossible to overlook its influence on the condition of a planter's tenantry. A grilled *moorgee* and a quart of beer is grudged to no traveller that puts up at a factory and to whom either is acceptable. But factory hospitality sometimes takes a wider range. Now this good-fellowishness is an expensive virtue, which the factory assistant's salary scarcely permits him to practise. The fines levied at factories are divided by a tacit understanding between the owner of the factory, the assistant in charge, and the Amlah. Mr..........'s share, as we have mentioned, is not small.

The worst part of the picture is the complete subserviency of the police to the factory. They dare not intervene to put a stop to the most glaring outrages. Mr..........'s neighbours of the police are perfectly obedient to him.

INDIGO PLANTING AND MOFUSSIL JUSTICE

In a recent issue we described the relations subsisting between the Planter and the Mofussil official, which bear so intimately on the success of Indigo cultivation. The operations of Planter, regulated as they are by a system based on fraud and oppression, are to no small extent indebted for their effect to the good will and indirect encouragement of the Magistrate. Irrespective of the sympathies of colour and creed and the influence of a mistaken and misappropriated public opinion, the official is tempted, in consequence of his isolation from European society, to social dealings and particulars with his planter neighbours, which give his mind little scope for an independent judgment in his judicial capacity on their character and qualities. The natives, whose practice and interest is to observe with a critical eye the movements and habits both private and public of the judicial officers of their district, thus lose confidence in those of them who betray an intimacy with the non-official Europeans of their stations, and instances are not rare, though the moral causes of all of them may not be alike, which warrant the distrust cherished. We have ourselves mentioned as many of those instances as we could without making ourselves liable to consequences of the law of libel. Lastly, the Government publicly noticed the case of Mr. Tripp, an Indigo planter, who though proved to have plundered another man's property and kidnapped a "fellow creature," was discharged with paying a simple fine, on which neither he nor his masters, as can be easily supposed, have bestowed a passing thought. But not a word was said about the justice of the case or any steps taken to canvass its merits.

The Indian Field of the 30th ultimo relates a parallel case. Mr. Laidlay, manager of Mr. Wise of Dacca, was charged with having illegally kept his naib Nobokumar Bose, in close confinement for more than two months, with assaulting him and plundering certain property. Mr. Lance, the magistrate, accidentally discovered the confinement while proceeding on business, and on presenting himself on the spot was offered resistance, but having subsequently appealed to Mr. Laidlay, the latter acknowledged the fact, but alleged that he did so with the hope of having restored certain money, which he averred, Nobokumar had embezzled.

The charge was proved, and the magistrate sentenced Laidlay, who, it appears, was one who could not trace his liberties and privileges right straight to Magna Charta, "to one month's imprisonment, and to pay a fine of 200 rupees or in default of payment to another month's imprisonment." The case was as a matter of course appealed to the Session Judge who happened to be Mr Tayler of Patna notoriety.

This gentleman thus recorded his judgment :

"I have no doubt as to the guilt of the appellant, but I do not think that under the circumstances, it is just to subject a person of English habits and English ideas to personal imprisonment where no suitable accommodation exists. Without therefore entering into the question of whether Mr. Laidlay is a British subject or not, a question hitherto not mooted before the magistrate, I think it right to commute the sentence of imprisonment to an additional fine of Rs. 200 !"

The Field thereupon very properly remarks, "So now Mr. W. Tayler announces from the Bench, that confining a Native Babu for six weeks or two months in a dirty, damp godown, and scantily feeding him, laying aside altogether the charge of personal violence, and forcibly making him sign certain bonds and deeds of sale and plundering him of his property, are English habits and English ideas and lets him off altogether (the fine will of course, as usual be paid by the factory, and ultimately by the ryots as "fauzdaree kurcha", or law expense) because he considers that Mymensingh jail is not a suitable place of confinement for an Eurasian."

We are not aware whether the Sudder or the Government has called from Mr. Tayler any explanation for this "remarkable" judgment, but we hope they will see sufficient reason to appointing a commissioner, as it has become the fashion, to enquire into the soundness and legality of the above decision. Mr. Halliday is said to entertain a favourable opinion of Mr. Tayler's abilities, and to think that a place in the sudder will, like Rareys' horse taming process, cure him of his little eccentricities. We hope the decision quoted above will satisfy him of the error.

The intelligent reader will not fail to deduce two profitable morals from the above, viz, that our public officers often dare not administer impartial justice between Europeans and Natives, and

that where, through independence and unbroken moral courage, a newly imported civilian vested with judicial powers awards strictly just decision without distinction of race or religion, the appellate courts, indoctrinated with false ideas of Indian society and Indian necessities will not uphold them ; that the Government, as in the case of Mr. Tripp, is too timid to enforce its own conviction, and the so called public opinion which is the dread of our nervous officials, is simply a phantom which more energetic and bold men would care little about when interfering with the due discharge of their public functions. We hope the Queen's Government will remedy these evils.

THE PLANTERS AND THE OFFICIAL.

Among the wails *ad misericordiam* of the planting community of Bengal one of the loudest is about the antagonistic feeling which is alleged to be borne towards them by district officials. It is enough, say they, to have to deal with Zemindars and ryots "dishonest to the backbone," but the antagonism of the Zillah officials towards indigo planting and indigo planters aids both, and threatens to complete the ruin of the interest. It is a fact nevertheless that indigo factories have not decreased in number ; that they are more powerful than ever ; that the extent of their operations judging from the quantity of their produce has increased. With this fact in view we can scarcely bring ourselves to believe that the planter is the innocent and oppressed being he represents himself to be—the persecuted of ryot and zemindar, *mahajan* and magistrate. We can scarcely bring ourselves to sympathise with grievances of a class composed of individuals in body irresponsible to the law, in estate irresponsible to the law, in estate irresponsible to every one but absentee masters and credulous creditors. A class subsisting upon the produce of forced labour, and eluding the penalties of oppressive conduct by the aid of the most unjust of laws has *prima facie* little reason for complaints against the authorities. We can believe it possible that a majority of the Civil service are impressed with a vague idea of the oppressive character of indigo operations in Bengal, but this idea can hardly exercise a practical influence over their official conduct. Nobody will deny that a majority

of the Civil Service are impressed with a stranger and a clearer idea of the nature of zemindaree oppression, yet though no class of the community is more entirely at the mercy of district officials than the native Zemindars, district officials are unable in the long run to protect ryots from the oppressions of a hostile Zemindar. How much less then must it be in the power of the district officials to coerce the European planters who are personally above the law, who have the press in their favour, who have what is called public opinion on their side, who are able really to injure the best official reputation, and who can always make powerful influences to bear on the fountain sources of administration ? In fact, the power, influence and legal immunities of the planting body are more than sufficient to protect them from the hostility of the official class, supposing such active hostility at all exists. We deny, however, that the relations between district officials and the planting interest are of so hostile a cast as the latter find it to their purpose to represent. Why should they be enemies ? Is it because the planters oppress and it is the duty of the officials to protect the ryots ? That would be the first solution that would occur to common sense, but that is not the fact. Is it because the district officials form a social caste and affect an exclusiveness that hurts the pride of the planter class ? The fact even in its exaggeration is not a conclusive one. Is it because the official class and the planter class are opposed to each other in most questions of Indian politics. That would hardly generate this sort of antagonism complained of. But as matters actually stand it will be found that the alleged feeling of hostility does not exist. It may happen that an individual magistrate may contract a prejudice against an individual and give him a good deal of annoyance, but the instances are too few to warrant the assertion that official feeling is against the planters. On the contrary the junior members of the district magistracy are generally on terms of cordial intimacy with the planters in their neighbourhood. The reasons are obvious and many. It is to these junior members of the service that the largest numbers of cases in which planters are interested are referred for decision. It is a notorious fact that no small portion of these cases are decided at the breakfast or the dinner table where the planter need not be represented by a legal agent. One gentleman who has distinguished himself by the

fullness of the evidence he gave before Colonization Committee kept up for month a costly establishment at the station of Hoogly including an European agent who could talk out decisions from the magistrate and his assistant at billiards. Mark moreover the many bonds of sympathy which subsist between the official and the planter compared with which the weak philanthropy which probably actuates the former in his dealings with the native is but a thread of sand. The cry raised by the planting community against district officials is utterly unfounded in reason and fact, and is not untinged with a mixture of ingratitude in it.

Perhaps a very good illustration of the official feeling towards planters may be found in the case of which we published a report last week. Mr. Cokerell is a district magistrate of more than average merit. The case itself is one of a very usual kind. Let us analyse the judgment.

The most noticeable features of the case are the impartiality with which the Magistrate appears to have dealt with the parties and the extreme suitableness of the punishment to the crime. The Magistrate himself admits that the property in dispute was never before in the possession of Messrs Hills; a suit under the Act of 1810 in regard to it was pending before him. Yet one of his first acts, when the public peace and the actual possessors were threatened, was to call on the latter to show cause why they should not enter into recognizances to preserve the peace. It is very much as if a gang of armed robbers stood before your door essaying to force an entrance, and you, having sent to the police for aid, are in the meanwhile keeping off the robbers, and the police arrives, and first of all proceeds to disarm you, threatening you with punishment if you resisted, and not having a word to say to the robbers leaves you disarmed and helpless to their mercy, and with the consolatory assurance that after you are robbed and murdered law will try to execute justice on your plunderers and murderers. No security against a breach of the peace was demanded from the aggressors; it was the aggressed upon who were to be hand-tied. Then, again, Jowan Christian is sentenced to the same punishment with the majority of the other prisoners. The offence of this man was, according to the Magistrate's find, resisting by force a party of armed illegal trespassers, an act that to ordinary men would

appear to be deserving of reward. It was, of course, utterly out of the question to call to account the instigator of the affray, the European in charge of the factory. He is a privileged man. The decision must be taken as having been given in favour of the villagers and their zemindar, as they escaped with the imprisonment of only one member of their body, but this happy fate they owned not to the merits of the cause, but to the accidental circumstances of two missionary gentleman having been witnesses to the affair, and deposing clearly to the main facts of the outrage. Lastly, it does not seem a little unaccountable that Mr. Cockerell should have thought it incumbent upon him to undertake the trial of a case of affray with homicide as such crimes are usually committed to the cognizance of the session courts.

We have not a word of complaint to urge against Mr. Cockerell for his conduct in this affair. Most other magistrates would have acted in his circumstances against the villagers and the zemindars. It speaks much for his moral courage that he could give a decision against Mr. Forlong's people. The almost apologetic tone in which he records their condemnation would be adopted by any European official who would venture to condemn the doings of a factory. Mr. Forlong, we hardly remind the readers of this journal, is one of the best specimens of his class. He is an Honorary Magistrate of Mr. Halliday's creation, and his jurisdiction extended, it does not do so now, over the village in dispute.

INDUSTRIAL & COMMERCIAL

I. BLOWING THE TRUMPET

For the most successful method of performing this operation, whether the instrument be one's own or a friend's or a fellow servant's, commend us to the practical experience of the Punjab officials.

Some flax was growing in the Goojranwallah district. It was carefully packed, and forwarded to somebody in England who plied the article and the theory of development together upon the imaginative and very susceptible manufacturing communities of Dundee and Belfast. These gentlemen approved the article hereupon. "His Honor (the Lieutenant Governor of the Punjab) desires cordially to acknowledge the valuable services of those gentlemen by whose exertions the capabilities of the Punjab for the profitable cultivation of flax have thus been demonstrated; of Lieutenant-Colonel Clarke, who originated the experiment, and induced the Zemindars of the Goojranwallah District to undertake the cultivation; of Mr. Stemer, who superintended the preparation of the fibre, of Lieutenant-Colonel Burnett, who exerted himself to introduce the product into the British markets; and, lastly, of Mr. Cope for the persevering zeal with which he has always advocated the experiment."

Compare the language of Lord Canning's record of the services of the Civil Servants of the upper provinces, during the mutinies; compare any laudatory despatch of the most vainglorious general after a doubtful victory, compare anything, reader, that you can compose in the way of eulogy or of mutual congratulation with the above felicitous paragraph, and you will at once be convinced of its infinite superiority in warmth and grandeur of style. One of our epics tells us that after the overthrow of Ravana, the monkey warriors passed days and nights in drinking bhang and applauding each other's prowess. The recorded act of the Punjab's Lieutenant Governor resembles very much the joyous proceedings of those redoubted heroes. The world in general and each Punjab official in particular are thanked in turn for that two

solemn bodies of manufacturers, devoted to the worship of development, passed a bundle of flax as admissible.

That the glory may not evaporate in obscurity, that light may be smothered in the bushel, must be earnestly desired by all, and on that serious point the world receives assurance in the announcement that, copies of the report, when printed, will be forwarded to the gentlemen above named, to the supreme Government, also the local and vernacular newspapers, and to the secretaries of Agricultural and Horticultural societies, Lahore and Calcutta.

Whether the force of humbug can any further go must remain an undecided question until the next Punjab Report comes to light.

Speaking of the Punjab Reports we are reminded of the duty we owe to our readers to point their attention to, the abstract of the Punjab Reports and Expenditure for the past official year, to be found in another column—which affords a curious commentary on the congratulatory address on the success of flax cultivation in his province.

II. CAPITAL AND ENTERPRISE*

The audacity which characterises all the pretensions of the British settlers in India has been in no respect more conspicuous than in the claim they have set up to be considered as leaders in all material improvements in the country. The " development of the resources of the country" is, according to them and their newspapers, their special mission. They are according to others "the hope of the country." They boast of having lent "capital" to Indian industry. Their "intelligence" is the theme of praise with legislators, Supreme Courts, and Town Hall orators, official minute-writers, and above all of themselves. But, if we are to ask for the tangible results of their capital, energy, enterprize and intelligence if we were to enquire for the new staples of trade, and the new modes of cultivation introduced by them, the wastes they have brought under tillage, their inventions to mitigate or aid the excesses or the deficiencies of climate, their discoveries of

* April 19, 1857.

new materials or products, we are told to look—why ?—to a few thousand chests of indigo, the produce of forced labour and borrowed capital and trespass upon land. The home truth addressed by Baboo Joy Kissen Murkerjl in his recent pamphlet to his "blue friends" has yet been unchallenged except by a squeak of surprise. They have not done a hundredth part of what they claim credit for, and not half so much as other classes of the community have done towards " the development of the resources of the country." They have, nevertheless, succeeded by their audacity to create an impression on the minds of men in favour of the validity of these absurd claims.

We have said that their audacity has been successful. We must correct ourselves. They have carried this audacity a little too far, and marred its effect. When they went the length, as on some occasions they did, of threatening to leave the country unless the country's government placed them above all restraint and loss, they drew forth a burst of ridicule in which their own countrymen could not help joining. If they were to carry their threat into execution the country would hardly miss them, or in missing them regret their loss. The natives of the soil are in no respect inferior to them in those qualities which enable a poputation to advance under ordinary good government in the path of material prosperity. One instance in point will suffice.

One of the most successful and not the least obstreperous of the class of Anglo-Indian adventurers is Mr. H. Biddle, a gentleman whose own aspirations after newspaper notoriety are of an order which absolves us from the obligation of apologising to him for mentioning his name so often in our columns. He is the agent and factotum of the Bengal Coal Company, a mining association that divides large profits among a large body of proprietors. The Company has been about half a century in existence, having succeeded government in the possession of the splendid concern which Government at an immense loss had raised for the purpose of unlocking the coal resources of Bengal. The resources, moral and material, at the command of the company's agent are immense. This company has always considered itself the sole rightful owner of the extensive coalfields which stretch westward from Burdwan, and resented any infringement of or trespass upon its monopoly.

For many years, Govenment and the local authorities seemed to acquiesce in its claims, and afforded no countenance or protection to any other speculator who dared to set up in rivalry to the company. The means by which competitors have been kept off may be learnt from the correspondence published sometime ago by the agent of a company formed with a rival purpose, and include all the arts so familiar in the history of indigo-planting and other British speculations in India. Great has become the Bengal Company, great its prestige and great the fame of its manager. The present Governor-General has, we understand, paid the tribute of his administration to the great Company and its concerns. In competition with this Company in the face of difficulties which have scared away or ruined rival British speculations, a native gentleman, thirteen years ago, opened a mine in the vicinity of the Bengal Coal Company's fields. In thirteen years the Searsole Colliery has become the second great colliery in Bengal and bids fair to outgrow the old Company's works. An accurate idea of the produce of the new colliery may be formed from the account of railway fare paid by Babu Gobind Prasad Pundit during the last three months for the conveyance of the portion of coals which are not brought down from his collery by boats,

In January	it was	Rs.	8,258
„ February	„	„	12,103
„ March	„	„	12,774

—a progressive traffic the limits of which are yet far from being reached.

This is but one instance of what Bengalee enterprise can do—one fact which must be understood before people set to account for the rapid progress of Bengal in material prosperity. It is perhaps yet too early to speak of the new town, on the Mutlah.* Yet, we suspect, when the history of the port comes to be written, it will be found to have owed in no small measure the rapidity of its rise to native spirit and enterprise.

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* Port Canning.

III MERCHANT AND BANIAN*

For the security of interests so important as are those involved in the relation between Merchant and Banian in this country we wish that the laws governing that relation were more clearly determined and known. The larger operations of commerce in Bengal are entirely dependent upon the exertions of the Banians. In the double capacity of capitalist and factor the Banian is an indispensible aid to the firm. Let a number of European Merchants establish themselves at Calcutta with ever so much money in their cash chest, let them deal by means of produce brokers and directly with wholesale purchasers of imports, let them eschew bazaar credits and all other appliances that constitute the luxury of mercantile life in India, they may do an amount of business, but never any thing proportionate to their means if they would not avail themselves of a Banian's aid. The class of men they have to deal with have been taught to be distrustful and are from nature extremely liable to fancies. These latter can not hope to distinguish between the honest and the dishonest among Europeans any more than Europeans are inclined to make a similar distinction among Asiatics. Hence, few European merchants in Calcutta possess credit enough in the Bazaar to do the work of their absent cash. The Banian usually supplies credit and cash to a firm whose character, positions and means he has made the subject of special investigation. The real sellers of produce and buyers of imports are people who would simply not understand any others. Our friend Robinson or Smith who came out last year with first rate testimonials as to his character for activity, habits of business, konwledge of accounts and the many other merits so highly appreciated in the counting house, who has every prospect at the end of his term to be taken into a share of the business, who is as fully convinced of the necessity of Indian Reform as the head partner of the house, and who is as vigourous a member of the volunteer Infantry as his chief is a well-mounted one of the cavalry, would make from the very intensity of his belief in the law of race, a very indifferent negociator with the up-country mohajun who perhaps believes that Delhi was retaken by a bribe. There can be no business between people of this sort and an European merchant

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* February 11, 1858.

without the Bengalee Banian who is intelligible alike to the representatives of Manchester and Mirzapur. Again, agency business forms the principal part of the business of the European merchants of Calcutta. They do not set up with immense hoards of cash nor are banks in Bengal over-numerous, over-rich or over-accommodating. In respect to personal credit they are exposed to the disadvantages inseparable to the position of foreigners. Their credit is more or less always liable to be suddenly cried down. A native Banian attached to them prevents such sudden fluctuations of opinion. Not infrequently he advances his own funds to the support of the firm he is attached to when it is unexpectedly exposed to demands it never calculated for. We doubt whether any system of business can be introduced in Calcutta which should supersede, with advantage to commerce, the employment of Banians.

The relations between the merchant and the Banian are in Calcutta regulated by written agreements and some ill-defined usages which have grown up with the course of our commerce. So far as they depend upon written agreements our courts find no difficulty in dealing with them ; but the usages remain to be properly acknowledged and determined. The case of Ewing *vs* Gobinchunder Sen decided by Sir Lawrence Peel would heve formed a leading case if its circumstances were not somewhat peculiar. The recent case of Shibchunder Mullic *vs* Beer Bischoff & Co. gave the court an opportunity of settling all the questions which usually arise out of the relations between merchant and Banian, but the opportunity seems to have been missed. In the latter case the plaintiff claimed a lien on property in the godowns of the defendants the keys of which were in the hands of servants entrusted and paid by the plaintiff who was responsible for their good conduct, and who was reimbursed by the firm but a moiety of the charges incurred in the maintenance of the establishment under his control. The plaintiff had advanced money to the firm for the repayment of which he had no other security. The case is in every way one of the general run of cases between Merchant and Banian. The Supreme Court has decided that the plaintiff had no lien over the property in question. Whether the decision be right or wrong it will introduce much distrust where implicit confidence is required. Henceforth Banians must depend upon the stringency of their written agreements alone.

IV. WORKMEN AND SERVANTS

The petition presented to the Legislative Council by the Calcutta Trade's Association on the subject of altering the law of masters and servants and employers and workmen, presents to view some of the characteristics of Calcutta social life. The petitioners complain of the bad faith of Calcutta workmen and domestic servants, and the inadequacy of the existing law to afford redress for injuries sustained in consequence of their misconduct, and represent the absolute necessity of making breaches of contract in workmen and disobedience and insolence of behaviour in domestic servants, strictly penal offences.

There is much of substance in the complaint of the Trade's Association. As a body the Calcutta workmen and artificers are a set of lazy, dishonest and faithless men. Always in poverty of their own creation, dissipated in habits, thinking it a duty to do the least amount of work for the largest amount of pay, possessed of every facility to elude the grasp of the law, they have the entire community of employers at their absolute command, and keep it in a state of perpetual disgust and annoyance. They are very skilful, in imitative power they have no superiors if any equals; they are keeping shrewd in many respects; their looks present that spurious polish which betrays the constant resident of a vicious metropolis; they speak a language far above their station in life, and they are adepts in litigation. That a class so capable of taking care of their own interests, should habitually misbehave, equally to their own injury and that of their employers, exhibits so much perversity of disposition,—and that they should be dealt with on the principles of penal, instead of those of civil, justice is a proposition which commends itself to the most serious attention.

No class of the Calcutta community are so sure of a comfortable livelihood as artificers and other skilled workmen. In this respect their condition is far superior to the educated poor. Employment they can always get, and their wages are, everything considered, pretty high. But no class of people are so hopelessly off as they—with the exception perhaps of Mahomedan servants in Christian families. Coolies and bearers earn far less than carpenters and painters, but the former generally manage to save enough at the end of a few years to form a good fund for old age.

The former moreover generally have their families in the villages, to whom they make regular remittances and pay periodical visits. Keeping up always their agricultural habits, their thrift turns to good account when they can succeed in purchasing a little permanent jumma. It is seldom among them that cases of real destitution occour at any period of their lives. The artificer class on the other hand are generally given to dissipation in many shapes. They are prodigal with their earnings, generally in debt, and harsh and cruel towards their wives. A coolie who makes four annas a day will generally take upon himself to pay the rent of the few bigghas of land cultivated by his father or brother in the country. The carpenter who gets twenty-five rupees in advance of his wages, will have to pay out of it perhaps ten rupees in liquidation of an usurious debt, and then he will proceed to invest ten out of the remainder in a suit of Simla clothing, a good hilsha fish, and a pair of Lall Bazaar shoes. The Small Cause Court has no terrors for men who have but an empty habitation and more than a dozen names.

We therefore fully agree with the petitioners on the point that the offence of wilfully breaking contracts by Calcutta artificers and workmen should be made a penal offence. But we differ with them as to the nature of the punishment to be affixed to the offence. We object to corporeal punishment. It degrades without reforming. It is unprofitable to both the injurer and the injured. It will convert the deceitful workman into confirmed scoundrel. The punishment which the nature of the case suggests as most appropriate, is fine or imprisonment with hard labour. We are not sure that a modification of penal servitude may not be adopted as the fittest penalty even for offenders, whom, if they escape, few Europeans can track out. These punishments will afford a means of partially indemnifying the endamaged employer.

The question between master and domestic servants, stands altogether in a different footing. We have a theory on the head, No good master can have a bad servant, and we will not believe the contrary. There are, we confess, some peculiarities in the position of the European resident which prevent the relations between him and his domestic servants assuming that character

of family relationship which adds so much to the happiness of Indian households. But we believe there is much in the habitual behaviour of English masters in India towards their servants calculated to alienate the affections of the latter. To strike a servant is hardly yet become a fashion in Bengalee high life.

To mulct a servant's wages is reckoned positively vulgar. Compare this state of feeling with that disclosed by hundreds of lawsuits, annually brought by native servants against European masters, for balance of wages and then say on which side lies the pressure of injustice, and whether, if legislation be necessary, it ought not to provide more for the protection of the servant than of the master.

ADMINISTRATION OF INDIA

I. AN INDIAN PARLIAMENT

Since the Declaration of American Independence popular sovereignty has been the mania of mankind. Nations have sacrificed honor, principle and above all happiness to realize the vision. Countrymen have fought against each other, genuine patriots have done more injury to the interests of their father-land than avowed enemies, in the struggle to establish social felicity on Government by representative institutions. Undoubtedly Government by representation at first sight possesses very many advantages over a monarchical despotism; and the idea on which it is founded is more liberal than the doctrine of the divine right of sovereigns to rule according to their fancies. But representative Government is again liable to the reproach of taking for granted many things which we do not know for facts nor reverence as true principles. For instance, it rests on notion of the absolute equality of mankind. We for our part, do not see that all men are equal in natural or in acquired intelligence, or that knowledge has been arithmetically divided among them, and, without any ill-will for the illiterate and the homeless, we much doubt whether Lord Brougham, Mr. Gladstone and Mr. Baring ought not to exercise more influence in the Legislature of Great Britain than the Cornwall miner or the Lancashire workman;—whether wealth is inherently so mischievous as not possess any authority as such in legislation; and whether the Duke of Bedford or Baron Rothschild has not less inducements to bring about anarchy than one of the "houseless poor." Then again representative Government in the last form which it inevitably assumes, produces the tyranny of the majority, the most intolerable and implacable of all tyrannies—a tyranny—which in the United States has resulted in the nearly complete absence of the expression of any murmur against the popular will and passion, though we know for certainty that in all human societies differences in opinion will exist. Besides, representative institutions require to be guarded with the utmost jealousy. They have a tendency to class legisla-

tion. If all classes of the community are not equally represented one class will naturally be at the mercy of another, the class most fully represented in the legislature will have a tendency to tyrannise over the class represented less fully or not at all; and class tyranny partakes of much of the intolerableness and implacable nature of the tyranny of the majority.

Such an example of class tyranny or to use a less harsh expression class legislation, the British Parliament presents. We will not dwell upon the few Scotch and Irish Lords and still fewer Commoners that are admitted into that body; nor advocate the extension of the electoral franchise to the length demanded by Mr. Bright. We propose merely to point out the grievances to which the people of India are subject, owing to their being totally unrepresented in Parliament. From the time of Burke downwards there has never been a complete lack of British Senators who have advocated our interests. There are in the House of Commons at the present moment at least a dozen members who have really the welfare of India at heart. But a nation, far less a nation composed of one fifth of the population of the globe, cannot afford to live upon the charity of individuals. A nation ought not to forfeit what they can demand as a right, and depend for the highest end of national existence upon the casual, fitful voluntary benevolence of a few philanthropic members of Parliament, occasionally drop one or two words of sympathy for the Indians from the same motive that they at times send Orphan Asylums donations of a few superfluous shillings. It is in the nature of voluntary aid and such as one is not compelled to render—that no sensible man can, nor any man ought, to place reliance upon it. To ensure justice all classes should be represented with equal fullness. The miseries of the working classes consequent upon their partial representation in Parliament form the burden of the speeches of English demagogues. The grievances of India, with every class of her population unrepresented, may easily be imagined. The working people bewail that they are the victims of class legislation. We are more so than even they.

The remedy logically would be the admission of Hindu and Mahomedan members into the House of Commons. Under any circumstances that is inconvenient, in the existing state of things

it is impracticable. Even supposing any native willing to go to Europe on that mission, and if with the improvements in the art of navigation a sea voyage from India to England becomes at some future period as little terrorsome as a voyage from Ireland to England now is, it will still be a physical impossibility for Indian members to arrive in London within the forty days of time allowed between the issuing of the Queen's writ in Chancery and the meeting of Parliament. For that reason, however, the Indian people ought not to continue the victims of a selfish class legislation and class tyranny. The alternative left is to create a Parliament in each of the Presidencies of India. The recent legislative enactment raising the customs-duties, has partially opend the eyes of a portion of the community. Those of our countrymen who interest themselves in politics are preparing themselves for an agitation for the admission of native members into the Legislative Council. The idea, in the modesty of its aim, is incomplete. What we want is not the introduction of a small independent element in the existing Council, but an Indian Parliament.

II. DE MONTALEMBERT ON INDIA

The De Montalembert Essay on India deserves a prominent notice in our columns. Did not the freshness and originality of the thoughts enunciated, the picturesqueness of style, and the glowing eloquence which animates the composition, inspire our admiration, the honour that has been done to this country by one of such brilliant European reputation, professing such a chivalrous attachment to free institutions, and occupying foremost position among the liberals of France, by making British India a pretext for his appeal for liberties, would be a sufficient motive for our devoting a portion of our space to its consideration. The subsequent fate which has awaited the noble author of this noble production, and which has enlisted in his cause the sympathies of the whole enlightened world, places his claim to our attention beyond dispute. If, as the philosophers believe, every event has a mission, the prosecution of the Count de Montalembert cannot be without one. The sublime aspirations of Paul are always linked with something heavenly,

and the man that strives to smother such aspirations cannot escape the wrath of Heaven. Louis Napolean has done that, and who knows Providence may not pour forth on his head some one of these days the vials of his vengeance. Already, the murmurs of another Revolution are heard afar, and humanity will be avenged, civilization redeemed, and liberties restored, if the burst of the national indignation of France which has already reached its acme, against the cruellest despotism that afflicts modern Europe,putting a ban upon the freedom of speech and thought—and speech of the most innocent character,—sooner finds its vent. We really cannot express the admiration which we feel for the man who would not accept pardon of the hands of a traitor and an assasin, and appeals with the eloquence of the expressive silence which he maintains to his nation and to Europe to redeem France from this inhuman tyranny. A few more such souls, and the fate of the Empire is sealed. The despot has true good reasons to ponder over the moral which the Montalembert incident in the history of France points. The national mind should not be oppressed or insulted, for of all earthly explosions it is the most disastrous.

We should have fain stopped here, but the splendid essay of Montalembert which has been already read by every intelligent man in Europe contains some errors of fact and judgment which we deem it our duty to notice, but which we regard as the result of imperfectness of information. Speaking of the East India Company's administration the writer says :

" In the countries where it has been invested with territorial sovereignty, it has everywhere done away with slavery and forced labour ; in most cases it has respected all vested rights, and even too often abuses established before its advent. It is thus that the European agents incessantly deceived by the native employes who necessarily act for them as subordinate agents with the people, have been regarded as accomplices in the cruelties and tortures made use of by the Collectors of taxes, but this is to ignore the fact that it is the Indians who were the torturers, whilst it is the English who have discovered, denounced and punished the native oppressors."

The statement is dictated by that hunger for English approbation which, with all its merits, characterizes the whole publication. We admit, as we have always done that the East India Company's

Government was one of the most beneficient that India ever came under, but we can not testify to the abstinence, for which credit has been given here, on the part of the East India Company from interference with the vested rights of the people over whom it ruled. This is a virtue which the Company could never claim. It always evinced a contrary disposition, and among the complaints against its administration this is one which has been shared in by the bulk of the population. The Delhi proclamation of the Rebels cites this as one of the primary causes of the national discontent, and the public men of England have always acknowledged the same. With regard to the practice of torture it is said that the English officers were ignorant of its existence, and that it was committed by their native subordinates. Though we have evidence to the contrary, yet were we to allow the alternative of imputing utter ignorance to the "European agents of Government," it would only redound to their discredit and to that of the Government. It is true that it was the English who discovered and denounced the practice but they belonged to the non-official community. The Government officers on the contrary did their best to conceal it, until a Royal Commission brought the thing to light and all its horrors.

M. de Montalembert justly observes that the territorial constitution of Hindostan is imperfectly understood by the Company's servants, but he misapprehends the land systems of India when he approves of the operations of the Government in this respect. Under unusually happy auspices the genius of a statesman conceived the perpetual settlement which prevails in Bengal, and which also stands in agreeable relief among the settlement efforts of Government. There have been deplorable errors, and the lamentable events of 1857 have exposed them in all their hideous hollowness. We regret that the sagacity of a Montalembert should have failed in appreciating this lesson of the Indian Mutiny.

We cannot understand the spirit which induces M. De Montalembert to acquiesce in the annexation policy of the Indian Government. That so intense a lover of freedom should see nothing reprehensible in the absorption of the privilege of a weak party by a strong is one of those strange features of a great mind which ordinary mortals cannot comprehend. M. de Montalembert hates despotism,

and in this frame of mind applauds, nay justifies the British Indian policy which sweeps away all the petty despotism of the soil from the path of its progress. Apart from the fact that the institutions of India bearing the impress of British authorship do not realize Montalembert's vision of liberty, no amount of freedom, conceded by a foreign nation can, we maintain, compensate the loss of nationality to a people. The principle of annexation that the higher morality of ambition succoured by power, cancels the lower one of keeping faith with weak allies, has been so often exposed in these columns that we do not feel disposed to argue it again though the name of a Montalembert is attached to the revival of the discussion.

M. de Montalembert, as might be expected, fully appreciates the position and capacities of Lord Canning, and if he differs from the policy of the celebrated Oude Proclamation, we can find the reason of the difference from the circumstance of his lack of information on the subject. Full justice has been done to the Indian press and its supporters, and we hope they will take the counsel of the sage voice in good part. Of course, the writer does not believe in the stability of the future of British India from the fact of the bitter hatred and race antagonism he finds fostered by the British community here but we are happy to observe that the great British nation has already awakened to a just sense of the danger which threatens British India from that course.

III. LORD STANLEY ON INDIAN POLICY*

The English press has not over-rated the importance of the speech delivered by Lord Stanley on the 29th September last at the Fishmongers' Hall. It rarely happens that a responsible minister of the crown makes Indian Policy his special topic at an extra official meeting. He will speak of Indian events, of Indian history, of Indian wars, of Indian men, but he will scrupulously avoid laying down principles of Indian Policy. Perhaps, the chief reason lies in the most general want of that degree of know-

* Nov. 18, 18 8.

ledge of the subject which a Cabinet Minister thinks essential to his credit to possess before he understands its treatment. But apart from this partial ignorance there has always appeared, when occasions called for explicit declarations of opinion from responsible Indian ministers, a desire to evade—lest the Government be committed too far in favour of a definite principle or an intelligible course of action. Lord Stanley has cast off his reserve. He does not affect distrust in his knowledge of the subject. He is prepared to lay down a principle and to announce what he is prepared to do. In fact he has well formed opinion on the affairs he is specially to administer, he does not hesitate to utter them. He speaks with authority and under responsibility, and he speaks wisely and well.

We repeat that the importance of the speech can not be overrated. First of all, Lord Stanley correctly estimated the responsibility which has devolved upon him and his Council when he confessed that he was " almost appalled " at the weight of the task they had undertaken. A statesman who brings to the discharge of his trust such a spirit as these lines disclose gives the first guarantee of success. The minister who has himself been the chief agent in effecting the great change that has taken place in the constitution of the Indian Government shows some distrust of its entirely beneficial natute. " A double danger," according to him " has to be guarded against." We have to protect India from the fluctuations of Parliamentary party politics, and we have to protect England from the more indirect and remote, but perhaps not less real, danger which may arise from the connection of her executive with an executive which is essentially despotic." In the face of such proceedings as those of the Colonization Committee, the Indian minister may well be afraid of the " fluctuations of Parliamentary politics," but his apprehension of the " essentially despotic" character of the Indian executive may perhaps be, and we hope it will be, rectified by the experience of a few sessions. He will soon find, unless Parliament be wholly untrue to itself, that to use the argument of the greatest of modern political philosophers, there is not a power in the realm, which possesses a despotic power to delegate it to the Indian executive. The principles upon which Lord Stanley proposes to govern the

people of India are based upon the following accurate definition of the relations between that people and their rulers.

"I think however, we should remember that it is not only from ill-will or feelings on our part, but also from uninformed and misdirected efforts for doing good, that our influence and government in India have been exposed to danger. (Hear, hear). We do, I believe, regard—and undoubtedly we ought to regard—the natives of India as persons towards whom it is our duty to feel good will, and for whose welfare it is our duty to labour, but it is not enough. It is not enough to regard them as objects upon whom our benevolence may be exercised, or as persons upon whom it is in our power to operate important changes for good. We must look upon them as also men with whom, and not against whom, we have to work—as men with feelings of their own—(hear, hear)—as men who, although politically subject to us, have a sense of their own rights and a respect for their own independence—(hear hear)—and as men who will be apt to be all the more tenacious of their intellectual independence and national customs because of the political subjection in which they are held (hear). There can be no doubt that the position of a conquering and governing race confers many advantages as regards the influence which may be exercised over a conquered people ; but that position carries with it this disadvantage—that a conquering race almost inevitably displays a certain sense of superiority,—a certain arrogance, if that be not too harsh a word to use,—a certain disregard of the feelings of others, which, not being placed under such circumstances, it is hardly possible for us to understand."

We have dwelt somewhat at length upon this topic in another column. How Indian statesmen can never be too cautious in assailing the "intellectual independence" of the people of India has been well taught by the mutinies. That the present Indian minister will not err on the side of rashness is the certainty he now establishes, and it completes the guarantees of his success.

IV. MR. BRIGHT'S LAST INDIAN SPEECH

The speech of Mr. Bright in the Indian Debate of the 7th March demands at our hands a more extended recognition than

was accorded to it in our notice of the debate itself. All the questions of the day in the sphere of Indian politics have in it been done justice to ; scarcely a single claim which he has been urging upon the British people in behalf of the Indian populations during the last six years has Mr. Bright left untouched. The different subjects of the finances, the Indian debt, annexation, the advisability of giving the natives a substantive voice and power in the affairs of their country, the necessity of rendering Indian officials more tractable were dwelt upon with his usual felicity. In spite of the continual use which they make of the words " justice," "right" "humanity" &c., popular democratic leaders are generally very selfish men, and English and American democrates again are not remarkable for a high ethic tone or purpose. Mr. Bright is free from the besetting sin of his class. Whatever may be his failings, a narrowness of soul or a want of sympathy for his unfortunate fellow-creatures is not one of them. Though it is instinctive with his commercial mind to rest with pleasure upon details, he often argues a question on the highest grounds. We have of late heard a great deal for and against the reduction of our military establishments. Mr. Bright considered reduction a moral as well as a physical necessity. Mr. Bright again reiterated his conviction that the happiness of the various population of India each in a different stage of progress from the rest, was possible only with introduction of a policy of federalization. In support of his views on this head he quoted the British Indian Association. The Government of Bengal which always takes an important pleasure in trying to snub the Association will, we hope, henceforward learn a respect for its opinions after Mr. Bright's complement to it.

' Last year, on the third reading of the bill, he (Mr. Bright) stated at great length his views on the subject of Government. He had told the House that, in his opinion the government at home should be one of absolute simplicity ; while there should be pursued in India itself a process of decentralisation. He argued that it would be obviously impossible for any Governor-General to rule with success a population which was variously reckoned at from 150,000,000 to 200,000,000, and he would now read an extract from a letter written from the Native Association at Calcutta to that at Bombay, with regard to this very question of centralism :—" The Committee

can conceive of no system of administration more prejudicial to the improvement of the various races inhabiting India, and more pregnant with mischief to the essential interests of Government, than a deep-laid, wide-spread, and elaborate centralisation which now prevails in this country. A central power, however skilful and enlightened, can not, itself, embrace all the details of the existence of so vast a nation or rather of so many nations—as those of India. Such vigilance exceeds the powers of man. The tendency of centralisation, as you are aware, is uniformity; but the distinguishing feature of the Indian communities is variety. A single nation may thrive under centralisation for then the principle of the unity of action has a wide field for play. But centralisation for a number of nations each at different stage of progress, and with various degree of intelligence, can have no principle for its basis, for it is the practical confusion of all principles imaginable." He (Mr. Bright) quite agreed with the opinion expressed by these Indian gentlemen, intelligent and respectable gentlemen they were—for it was impossible for any Governor-General at Calcutta, whatever the power they might choose to give him, to bring the governmental eye to bear upon every portion of this vast dominion. The proposition which he (Mr. Bright) suggested was that they should revert to the ancient plan, and establish something like municipal presidencies in India (hear, hear).

Mr. Bright next adverted to the Royal Proclamation and its practical working and we take this opportunity of expressing our opinion on the subject as modified by after events. Since Mr. Money's interview with the Shahabad rebels we have been convinced that the amnesty declared in the Royal Proclamation of the first November last ought to have been fuller. We have begun to perceive that in a state-paper which was virtually a gospel of peace and mercy to deluded millions, the influence, almighty for either good or bad of the higher over the lower orders of the people, should not have been ignored. The royal kindness was restricted to those who were merely the dupes of bankrupt lords and ambitious leaders. But the restriction proved suicidal, inasmuch as it became the interest of the proscribed sirdars still to delude their credulous followers into the belief that the amnesty was a sham. From these considerations we can not acquiesce in the high

eulogium passed by Mr. Bright upon the Proclamation ; as unlike him we believe that it could have been "more admirable." However, we have scarcely the heart to blame anybody for this. Perhaps, human forbearance could no further go than the extent to which it has been displayed in Her Majesty's Proclamation. Perhaps, we might with reason attribute this shortcoming of the Proclamation to a vague apprehension on the part of the government to provoke too greatly the irritability of the Calcutta malcontents, who were from the beginning so aghast as the conciliatory policy of Lord Canning's administration.

Be that as it may, the Proclamation, as it was, was a noble present and one worthy of their sovereign to the people of India. We, however, expressed at the time our belief that its intention was likely —almost surely to be frustrated by the conduct of those officials at the seat of disturbances who had to carry its provisions out. And we find we were not mistaken. Those who feel astonishment at the scanty results of the Proclamation and wonder that the amnesty was not availed of by any considerable number of the rebels ought to remember that the rebel leaders and Indian officials leagued together to further one common object, namely the frustration of the ends of the Queen's Manifesto. Mr. Bright with characteristic force commented on the disobedience of Indian officials to the instructions of their superior authorities. He said "It would not be polite in any society and it would certainly not be suitable to that House to quote the language in which some of the officials in India endeavoured to describe how very little they cared for what had been done." The proclamation, he said, was a reversal of our past policy ; but he regretted that its execution was left in the hands of those who had been the instruments of the old policy. We can not go with Mr. Bright in the assertion that the proclamation was a reversal of the past policy ; since Her Majesty merely repeated the professions so often made by the East India Company but it certainly implied a distrust in it and in those who were involved in its execution, and that distrust demands that, as soon as the country returns to tranquility, a newer race of officials should as far as practicable supersede the old one. Then and not till then can full effect be given to Her Majesty's promises to the Indian people. Then and not till then will the

people be induced to believe that the Proclamation is not merely so many words wrung out of England's Queen by a dire necessity, to be disowned as speedily as the necessity no longer existed. Then and not till then will the India Act of last year seem to the people of India to have really effected a change in the government of the country.

Mr. Bright next declared his conviction that the people of England ought to bear all the burdens of the Revolt, because he believed that it was induced by the mismanagement of India by Great Britain.

"At the same time he (Mr. Bright) was bound to say, that there was no real justice in the people of England fixing this burden upon the inhabitants of India, (hear, hear). Did anybody mean to say for instance, that it was right to tax the people of India for the debt incurred in the Afghan war, which had been undertaken in furtherance of a policy adopted by the Cabinet at home? (Hear, hear) So with regard to the late revolt, which he (Mr. Bright) ventured to say would cost not less than forty millions sterling, and which he was surprised to hear the Right Hon. Baronet (Sir G. C. Lewis) say was an unjustifiable one (hear, hear). The noble lord the member for the city (Lord J. Russel) had just published a work in which he expressed a strong opinion as to the justifiableness of the American war of Independence; and when he recollected how the Right Hon. Baronet had last year pointed out the atrocities of the Indian government, he thought it was rather inconsistant in him now to say that there had been neither cause nor excuse for the conduct of the people of India during the last ten years. (Hear, hear). He (Mr. Bright) did not want to enter into any defence of that conduct; but he wished to see the Government of India based upon a justice which the people of that country themselves could feel and see, and which would secure our power without the necessity of keeping up an army of 334000 men. (Cheers). In the meantime, he thought that 40,000,000 would be a grievous burden to place upon the taxes of a people, seeing that the revolt had been caused by our mismanagement. (No, no). A Hon. Gentleman said, "No," well, he (Mr. Bright) would not dispute the point with him; but if the Hon. Gentleman was neither an Englishman nor a native of India, but was writing a history of our transac-

tions during the last hundred or even twenty years, he would come to the conclusion that it would be more just that we should ourselves pay the expenses of the war we had undertaken, in order to re-subjugate the country. (Hear, hear). Mr. Bright was sorry to speak so long in derogation of his countrymen, but he was convinced that the course we had pursued had only led to the logical and inevitable consequences ; and that unless somebody undertook to reverse the system which had hitherto been followed, we might in ten years have another great revolt, the results of which might be much more disastrous than anything that had happened within the last two years. (Hear, hear).

This part of the question is too delicate for us to handle. We may, however, mention by the way that the transfer of the reins of power from the hands of the East India Company on the breaking out of the revolt was in itself tantamount to a justification of that revolt.

Did not our limits forbid it, we would fain dwell upon other points of Mr. Bright's edifying speech.

V FEDERALIZATION

A statement has been made to the rather vague effect that orders have been issued to make the most radical changes in the form and constitution of the Indian Government. Apparently there is not much truth in the story. But the work of remodelling can not much longer be deferred. The financial difficulty must be met ; and it can not be met with success by mere taxation and borrowing. A reduction of expenditure is impossible while those who spend the revenues are not responsible for the replenishing of them. What cared Sir John Lawrence for the treasury at Calcutta when he added fifty per cent. to the allowances of the officers of the Corps in the Punjab ? How weak must be the sympathies of Sir Charles Trevelyan for the distresses of Mr. Lushington's masters compared with his anxieties for the wants of Madras ? The country is very like an ill-ordered Hindoo family, in which every one spends what he can get from the common stock and the paterfamilias with scarcely authority to reprimand is bound to keep up the supply.

The first remedy for this must be the federalization of the empire—the first act of reform and remodelling. We publish an able letter on the subject which originally appeared in the *Friend of India*, in which, as our contemporary remarks, the writer has thought out Mr. Bright's idea. The writer goes with Mr. Bright to the extent of abolishing the Central Government of India but on somewhat different grounds from those of the great orator. Mr. Bright would abolish the central government because he thinks central control over the several governorships wholly unnecessary. The writer in the *Friend of India* would abolish it because he thinks the central control may be exercised from England by means of the electric telegraph and improved modes of communication which the advanced science of the age furnishes. We do not believe the project to be feasible. The experiment of letting the governorships to govern themselves independently of each other has been tried, and its utter failure drove parliament to extend the authority of the Governor of Bengal to the other presidencies. Besides, as the writer in the *Friend of India* points out, the army and navy and certain of the revenues must be imperial. A central government is indispensible if only for the purpose of administering the foreign relations of the country. Each governorship has its own neighbours, and it will not do to let it manage and form treaties with its neighbours as it pleases.

This central control, we contend against the writer in the *Friend of India*, can not be efficiently exercised from England. Such grave interests as the general government of India is the depository of, can not be left at the mercy of wind and weather. Besides, the control exercised by the general government of India is a real control, whereas that exercised from the India House is a sort of running criticism passed by a set of experienced clerks upon the acts of the Indian governments. The direct action of the English government upon any branch of the Indian administration is to be deprecated. A high authority like the general government of India intervening between Indian interests and ministerial purposes, does a large amount of good by preventing a large amount of harm.

The best part of the plan is, of course, the separation of the financial interests of the several Governorships. As observed in

the outset there is no effectual responsibility for the expenditure. And while five of the seven Governorships spend more than their income, each complains of being neglected in the general apportionment of the funds. Bengal perpetually yielding a large surplus is denied the advantages of its own productiveness ; while immense sums derived from Hindostan at large have been lavished in the Punjab to make the fortunes of commissaries, contractors and road makers. Madras is in chronic discontent for not having a larger share in the surplus revenues of the northern presidencies than it has. All this needs rectification. If each governorship were made to raise its own ways and means and to contribute in addition its quota to the expenses of the general Government, there would be a closer adjustment of expenditure to income all over the country than is possible under the existing circumstances.

We have viewed the question of federalization in its financial aspect out only, because at the present moment that is the most important aspect of all Indian questions. In legislation, material progress, education, and everything that promotes social welfare, the advantages of federalization as we have frequently had occasion to point out, are equally conspicuous. If the empire is to be remodelled, it must be remodelled on the principle of federalization.

VI THE INDIAN DEBATE*

If the Reform Bill had produced a few more men in the English House of Commons like Mr. Bright, no rational conservative could have urged the slightest objection to it on the score of expediency. Bold to the verge of temerity in his political conceptions he never preaches an idea foreign to the spirit of the British constitution. That constitution is an embodiment of principles applicable to every possible conjecture of a nation's affairs, just as its brother institution, the English Common Law, is an embodiment of maxims applicable to every possible position of an individual's affairs. Mr. Bright, in his speech on the India Bill, propounded principles drawn from the British constitution which at once establish them-

* August 12, 1858.

selves in the public mind as principles which can not be disregarded with impunity. The undivided supremacy of the crown, the mutual equality of all subjects of the sovereign, the private right of judgment and action in religious matters, the sacred character of the institution of property, the duty of maintaining treaties and pledges inviolate, the grave importance of local laws and customs, were all topics familiar to the audience representing the working spirit of the British constitution, but Mr. Bright invested them with novelty and interest by discussing them in connection with the affairs of distant India. The most important of the principles enforced by the speaker was, however, involved in his protest against the centralization of the Indian Government. That, as sound thinkers admit, is the great evil of the Indian constitution. Gradually it has enveloped in its folds the entire machinery of Indian administration, and every corner of the country feels its baneful effects. Intelligent observers have remarked the absolute identity of the political system established by the British Indian Government with that so successfully and with such fatal effects instituted in the continental states of Europe. The affairs of the people, administered by a bureaucracy, superintended by a central authority is a conception common to the governments of both British India and continental Europe. There may be persons who in the amplitude of their ignorance and conceit conceive India to have been a gainer by this assimilation even in point of liberty. Such reasoners, if mere irresponsible creatures, seek in vain for an answer. But when, unfortunately for the destinies of the country, men in authority commence to speak and reason thus, they never fail to be answered, though it be by a rebellion. When the Government of the North-Western Provinces destroyed all social existences except itself and a levelled population, thoughtful men predicted the events which even yet seem to have failed to teach the fanatic supporters of bureaucratic domination. It is against this system, this monstrous system, foreign alike to the spirit of the British constitution and the temper of the Indian people, that Mr. Bright's strongest protest was in effect directed. Whether the mode recommended by Mr. Bright is the one most likely to prove successful in demolishing the system, of course admits of question. His first idea evidently was,—break the main joint of centralization

by abolishing the Governor-Generalship, and the minor centralization will break up with it. Introduce the federalism in the country, and liberty and good government will gain a secure footing in the provinces.

If the genuine spirit of the British constitutionalist spoke thus on the main principle of Indian Government, the sympathies of a large-hearted statesman were equally manifested in Mr. Bright's enunciation of the different branches of Indian policy. He would inaugurate the direct government of the Sovereign with the proclamation of a general amnesty. He would invite the people to compose their troubles and their fears and accept a benignant rule. He would assure them their lives, property, freedom, their national customs and laws. He would govern India neither for the bureaucrats nor for the speculators. He would give them a share in the government of the country and an interest in the permanency of the British rule. Above all, he would ensure them good treatment—protection from the habitual insult and outrage which a dominent race, unrestrainted by social opinion never refrains from inflicting upon a subject one. After instancing an act of brutal cruelty committed by an Englishman in the upper provinces, an act of a kind which is so common in the country that it would scarcely elicit a remark, he said, under every system of government they would have Englishmen scattered over India, and conduct like that must create an ill-feeling between them and the native population ; and when that ill-feeling had sufficiently expanded, an accident would serve as a spark to the mine, and they would have a calamity such as had been raging in India during the last twelve months. All this would have to be changed if they were to keep India, and make its people a happy community. He would not examine into how we got possession of India. He took the fact as it was before them. There they were, and as they knew not how to leave it, they should see if they could not govern it for the happiness of the twenty nations of which it consisted. That was a question difficult of solution. They must abandon all that system of calumny against the natives of India of which they had lately heard so much. Were they not the most docile and submissive people in the world, or else how was it that England had ruled over them for the last 100 years ? (Hear, hear). Were they not industrious ? Were they

not intelligent? Were they not endowed with many of the rarest qualities of our species? (Hear, hear). Even now men were going about the country speaking of mutilations and other atrocities, just as if all these things had not been contradicted. (Hear, hear). He, however, thought that the less was said about the atrocities the better, for he was afraid of the kind in which they were now unhappily engaged were never brought to a termination without commission, on both sides, of deeds which they all reprobate. The English were in the position of invaders and conquerors, and the people in India were in the position of the invaded and the conquered; and whether he was an Englishman, or whether he was an Indian, no matter what country he belonged to, he could not lose sight of the great distinction between the position of the two races; and, so far as he was able, he could not allow any man to indulge in that contempt which of late years had been showered out without measure upon the people of India.

The idea of dividing British India into five states, independent of each other but owing a common allegiance to England, and held in union by a directing hand from England, is an original one, but it is by no means the impracticable scheme which men unaccustomed to tread out of the beaten track pronounce it to be. Russia still governs conterminous provinces through independent viceroys wielding co-ordinate authority. Nor does it affect the truth of the analogy that fourteen thousand miles of sea do not intervene between the consulates and the capital of the Russian Empire.

We leave, however, the proposition in the concrete to public discussion; the abstract principle is all that we contend for; and we maintain with Mr. Bright that centralization has been the bane of British Goverment in India. The policy that would govern Bengalees on the same principles as the Swatters must be essentially wrong. And, even, forgetting for a moment that the British power in India must be a growing and a spreading power, it is impossible to ignore the exigencies that dictate different politics for different portions of the already existing British Indian Empire.

VII FEDERALIZATION*

It is a great gain when a writer of ability or a speaker of eloquence is converted to a sound doctrine. It was therefore with greater pleasure even than surprise that we read an article in the *Friend of India* of last week on the position of the native princes of India from which we make the following extract :

"We would, of course only with their consent, sweep away at once all those treaties which fetter the princes as much as they embarrass us, and substitute in their place a single Imperial law, a Golden Bull of the Empire. In this they should recognize themselves, and be recognized by us, in their true position as feudatories of Her Majesty the Queen. That position, while it leaves but one Government in India is quite consistent with the retention of authority, of the power of life and death, and even of local legislation. The American States are sovereign, though there is but one Government in North America. The limits within which they could act without the consent of the Government of India should be laid down, and their obligations be distinctly explained. These limits need be no wider than they are in practice at present, the most important being the existence of an independent judiciary for British subjects, and the inability to make laws affecting trade without the consent of the Governor-General. They should acknowledge that their privileges were lineal, and could descend only to men born of their own house. In return, they should be relieved at once of all espionage and interference, and be guaranteed their domains, under every possible contingency save the single one of treason. If, thus exempt from the Resident, they stretched their authority, beyond the limit allowed by the great agreement, the appeal would lie to the Governor-General direct, who could enforce his order as readily and as swiftly as at present. As the reigning houses in the course of nature died off, their fields, without conquest or dispute, or strained interpretation of law, would lapse, while during their existence nothing could deprive them of their status as the reigning aristocracy of a vast empire. Such a position with its dignity and ease would, we believe be really accepted, while

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* August 26, 1858

the change would smooth away that cry in England, which threatens to make the control of the feudatories impossible."

The change is somewhat startling. Every sentence enunciates a principle directly opposed to the policy consistently advocated by the apostle of annexation, of centralization, and of social democracy. Let it not mar the satisfaction with which no doubt our readers have pursued the above lines, that our contemporary is still an advocate of the policy of annexation on failure of hairs—the doctrine of contingent remainders which Lord Dalhousie adopted in his dealings with the Native States of India. The conversion has been so recent that it cannot reasonably be expected to be complete. To have renounced the main principle of annexation, the pure and simple duty of annexing without cause or pretext in obedience to the law of that higher morality which cancel all lower obligations, is in our contemparary's case, a gigantic stride in the right path, and it would be expecting impossibilities to expect him to embrace the opinions of Sir John Malcolm and Lord Ellenborough in their entirety after only fifteen months' serious thinking. We have hopes, however, of seeing him gradually retract from his residual error. We have hopes, however, that in the course of this very week he will discover that the recognition of the Indian right of adoption is an essential part of the system he would create. For, if we understand him aright, he would put the territorial and political rights of the Indian Princes on the footing of private rights, and thus bring them under the cognizance of the municipal law of the land, of which law the law of adoption is still am unrepealed part. The right of the Indian Princes to dispose of their possessions and privileges as they please—subject of course, to the laws and customs of the country—will then no longer depend on treaties which according to one of the parties it is very high morality to break, but on the secure basis of the established policy of the country. We doubt whether, in such a case even Mr. Temple's code would put a dispossessed Ranee out of court. We doubt whether, in such a case, even an Indian Supreme Court would accept the construction of a treaty by an India Office clerk in London as a binding judgment. As to the Legislative Council of India abolishing by an act of their own the Indian law of adoption, we believe our contemporary has too diligently marked the present course of British opinion on such

subjects to expect such legislation at their hands within the next half of a century.

In one time, moreover, we hope to see our contemporary address himself with a rectified vision to other aspects of the question of adoption. He would see the absolute rightness of the course we have referred to as having been taken by British opinion on Indian social questions. The impolicy of disturbing social usages entwined with the very existence of the people is now more manifested than ever and the bitterest enemies of the native princes in India have not condemned the usage of adoption as an immoral one. To native minds the denial of the right of adoption to individuals of any class wears the same appearance of intolerable harshness that the denial of the right to make wills would do to an English mind. Now, what purpose can it serve to provide for the certain though gradual extinction of the aristocracy which it suits the policy of our contemporary for the present to create. Does he condemn aristocracy as such? Viewing his recently acquired opinions on the permanent settlement we can not suspect him of that form of mania. Is aristocracy unsuited to the spirit of the people? That will hardly be affirmed by any thinking man of the generation that has witnessed the subsiding revolt, or sees in the private life of Indians nothing so bitterly stigmatized as a departure from the rules of class exclusiveness. Will the empire be less secure? That would be probable only on the supposition that it is easier to govern the movements of an impulsive and barbarous multitude than the conduct of a few grandees with immense stakes in the cause of order and tranquility, and of necessity possessed with mutual jealousies that will render combination impossible except under such government as deserves to die.

We agree with our contemporary in his assumption that a majority of the native princes in India would gladly exchange their present anomalous position for the more definite and splendid one proposed for them in the scheme. In the first place, the prospect of immunity from the interference of a British Resident will operate as a most powerful inducement to close with the new terms. At present these representatives of the British power at the native courts are in fact dictators in all matters in which they choose to dictate. They wield uncontrollable power, and therefore

it is not always that they wield power considerably. Their presence is much more calculated to foster animosity against the British rule than secure good will towards it. The theory is that they are posted to enforce the good government clauses which are to be found in a large majority of Indian treaties. The practice is that they content themselves with reporting court scandals and aiding intrigues. The result is that their presence is loathed where their integrity is not corrupted. The adoption of this spurious system of diplomacy will be felt as a relief by the native princes, and deliver the Government of India from frequently recurring and pressing embarrassments. In the second place the change, change though it be, will be in accordance with the traditions of the empire. It will be in fact a return to the form of federal feudalism by which the great Mogul Empire was governed, elevated by the spirit of British civilization. British Residents at native courts have been invested with their visitorial functions only from very recent dates. During the height of Mogul Indian grandeur, the subordinate principalities, though acknowledging most fully the sovereignty of the Mogul throne, discharged their functions of Government in perfect independence of the sovereign power. The fact is still vivid in the memory of the native courts of India. To realise it again many of them, we have not the slighest hesitation in predicting, would gladly renounce the semblances of equality which cover their abject submissiveness to the British Indian Government.

The great merit of the scheme does not however lie in the adjustment it proposes to make of the relations between the native princes and the Government of India. It embodies a principle affecting interests of far greater importance. The centralization of the powers and functions of government in the Calcutta Board has latterly proceeded at a pace which has startled all calm and unprejudiced thinkers on the subject. A political paralysis has already seized the minor presidencies. This is not the only evil. Centralized power has a natural tendency to affect uniformity in action. Essential differences are forgotten, and what is good for the unreclaimed people of the Punjab is considered good also for the advanced population of Bengal. All things are modelled on one unvaried plan ; all persons are subjected to one Procrustean treat-

ment. The unity of the empire is a phrase invented not to denote a common allegiance to one sovereign, but subjection to a single routine of bureaucratic administration. A world of mischief has been created thereby. The plan of leaving the internal administration of whole provinces and districts to powers independent of each other but subordinate to one great imperial power will deal a fatal blow to this spurious unity. Federalism must be accepted as the main principle of the constitution. And it is not possible to overrate the good that will thence proceed. A rivalry of good statesmanship will arise that will not be confined to the palatinates. It is not Scindia alone that Holkar will strive to outshine in the art of Government, but the Governor in Council of Bombay also. Recent events have shown that the native governments have some merits peculiarly their own. Those merits will be tried in fair but no hazardous competition with the merits of Europeanized systems of rule. An outlet for native ambition has been considered. The native administration will afford ample scope for it, without raising comparisons treasonable in their import. The country will progress in security, and a healthy co-operative rivalry among its rulers advance the happiness of its millions.

It is not possible to over-estimate the strength, solidity, greatness and grandeur of such an empire. Resting on the reverence of the people and the support of their leaders, presenting to the world an army of political and social orders of surpassing magnificence, and shedding a benign lustre from the loftiest position human power can attain to, the empire will be a spectacle nobler than history has yet depicted, and the sovereign of England will be in severe truth, an emperor of the earth—in more than name, a king of kings.

VIII. THE PATRIARCHAL SYSTEM

There is scarcely a single question of Indian politics on which Mr. Norton* is not entitled to be heard with attention and respect. His recently published work, *Topics for Indian Statesmen*, embracing as it does a large variety of subjects discusses with spirit most

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* Mr. F. B. Norton who became later on the Advocate-General of Madras. He wrote largely on politics.

questions which interest the Indian politician. We extract the following as a specimen :

It is the fashion just now to praise what is called the " patriarchal" system of administration. Lord Canning has officially declared his opinion, that this is the best adapted to the condition and feelings of the natives ; it is one of the well-known watch-words of the civilians, and the *Friend of India*, that most mischievous of journals, so far as it directs public opinion in England, has begun to cry out for the application for this system in the North-West provinces. Let it not be forgotten, that scarcely four years have passed away since the system of administration obtaining in the North-West, was lauded to the skies by the Directors and all their satellites, as the very perfection of Government. The whole of the evidence given before the Parliamentary Committee, points to Agra as the garden of the East. Mr. Campbell and other writers plume themselves and the service on the results of their doings in that quarter, whatever may be said of civil administration in Madras or elsewhere. And yet it is confessed now, because stubborn facts will take no denial, that this so much vaunted system has actually broken down at the first touch and shock of civil discord. This reminiscence and this fact should surely warn us how we put faith in any system simply because the civilians and a superficial dogmatic doctrinaire journalist insist upon its excellence. Taught by experience, let us take nothing more upon trust, but examine, for ourselves the grounds which exist for presuming the probability of failure or success of any system, upon its own intrinsic merits or defects.

First of all, then, let us obtain a clear definite idea of what the " patriarchal" system really is. The name creates and calls up visions of some golden age, or rather it refers us to Bible history, and we see the venerable chief of a paternal despotism managing all the affairs of his tribe—fiscal, magisterial, and judicial. He is atonce lawgiver, judge, and receiver of the people's dues. He is looked up to by all with veneration and affection. His decisions meet with a ready cheerful obedience—charming picture of simplicity in truth. But the principal features somewhat change, when the patriarch is a beardless boy taken from the junior ranks of regimental officers,—some fortunate Indian Dowb with a coronetted letter of

introduction in his pocket, or budding Civilian who has a vested right to employment, when the people are of a newly "annexed" State sulking and chafing with ill-concealed dislike of their new rulers ; and when the youth placed over them has no fixed principles, no practical experience, nothing but his "common sense," to use a slang civilian phrase, to guide him ; when newly acquired power tempts to arrogance, and ere age has mellowed down the infirmities of temper. *Silent leges inter arma*, says the great Roman orator ; and the only excuse for the temporary introduction of the "patriarchal" system, after the country has been newly conquered, is, that it is a less evil than the continuance of martial law. Immediately after conquest, the laws may be forgiven if they speak with a sound at once harsh and uncertain ; for the sharp, short, peremptory decision is then useful ; but as soon as circumstances permit, this make-shift should stand aside, and make way for a more scientific and deliberate system of jurisprudence. Advancing civilization will indeed compel this in its own good time ; to introduce the "patriarchal" system into the rich provinces of Bengal, is one of the demands of the policy of retrogression. Nothing can be more mistaken than the assertion that the "patriarchal" system is what the people like and hold by. The same was said formerly of the punchayet arbitration system. But Mr. Fullerton the contemporary of Mr. Munro, and the sounder and abler man of the two, long since disposed of that fallacy. In his famous minute of the first January, 1816, he shows that the punchayet was to be tolerated only because no other distribution of justice could be said to have existed. "If a man had no punchayet to settle his cause, he obtained no settlement at all." But he asks—shall this state of confusion continue ? And we may well repeat the question.

No fallacy can be more baneful than that which lurks under "simplicity." Analyzed, it will be found to mean that the judgment seat is to be guided by no rules, instructed in no principles ; it may be ignorant, arbitrary, capricious, self-contradictory, positively unjust. And all these qualities are to be permitted to be rampant, because of educated judges,—*propter simplicitative laicorum*; and because we have to teach man full power to indulge his own fanciful notions of "equity and good conscience." Thus justice, as Lord Chancellor Ellesmere said,

becomes the measure of each judge's foot ; judges too, be it remembered, in this instance, not like the judges of England men trained in the nature of the law, but raw inexperienced amateurs, thrown upon their own resources, without a rule to guide or a light to illumine them. Truly saith the law maxim, "*optimes est judex qui minimum relinquit sibi:*" and I would add, that is the best judicial system which leaves to the judge as little as possible, beyond declaring what the law is.

Lastly : with reference to the police.

It can scarcely be necessary to bring forward proofs of the character of this body, which may be described, summarily, as the bane of the country. But as I wish this to be, as far as possible, a self contained book, I will quote a few pictures of it, drawn by different hands. The Bengal Missionaries' petition presented to Parliament, will be in the memory of all.

Mr. Halliday, on the 3rd of April 1856, writes as follows:—

For a long series of years complaints have been handed down from administration, regarding the badness of the Mofussil police under the Government of Bengal, and as yet very little has been done to improve it. Such efforts as have occasionally been made for this purpose, have been usually insufficient to meet the greatness of the evil ; partial remedies have failed to produce any extensive benefit, and during long intervals the Government has appeared to fold its hands in despair, and to attempt nothing new, because the last tried inadequate measure had ended in inevitable disappointment.

No complaint is more common among magistrates and police officers of every grade, than that of the disinclination of the people to assist in the apprehension and conviction of criminals. From one end of Bengal to the other, the earnest desire and aim of those who have suffered from thieves or dacoits is to keep the matter secret from the police, or failing that, so to manage as to make the trial a nullity before the courts. Something of this is due, perhaps, to the natural apathy of the people : though it can not fail to be observed, on the other hand, that where they have any object to gain, the same people show no apathy nor unreadiness, but remarkable energy and perseverance in civil and criminal prosecutions. More, no doubt, is due to the corruption

and extortion of the police, which causes it to be popularly said, that dacoity is bad enough, but the subsequent police inquiry very much worse. But after allowing for both these causes, no one conversant with the people can have failed to remark, how much of their strong unwillingness to prosecute is owing to the deep sense which pervades the public mind of the utter uncertainty of the proceedings of our courts and the exceeding chances of escape which our system allows to criminals ; often have I heard natives express on this point, their inability to understand the principles on which the courts are so constituted or so conducted, as to make it appear in their eyes as if the object were rather to favour the acquittal, than to ensure the conviction and punishment of offenders; and often have I been assured by them that their anxious disire to avoid appearing as prosecutors arose, in a great measure, from their belief that prosecution was very likely to end in acquittal, even, as they imagined, in the teeth of the best evidence; while the acquittal of a revengeful and unscrupulous ruffian was known, by experience, to have repeatedly ended in the most unhappy consequences to his ill-advised and unprudent prosecutor.

IX COLLECTOR—MAGISTRATES

The Government of Bengal has appointed a number of officers to be Magistrates and Collectors of zillahs. These appointments introduce a system which has long been under discussion in official circles. The readers of this journal must be familiar with those arguments which recommend a concentration of the chief executive power in each district in the hands of one experienced and responsible official. The appointments now created have in one respect the support of all those arguments. But the measure, as carried forth, stands liable to serious objections in another respect. When we speak of the concentration of authority in districts we always bear in mind that the official vested with so much power should exercise executive authority alone. To vest him with judicial powers would be in the last degree prejudicial to the interests of the country and obnoxious to the feelings of the people. Already, the union of judicial with executive powers in the hands of District Magistrates has proved a source of serious injustice

and discontent to the people. Jealousies and resentments, misguided philanthropy and misdirected zeal, have often led District Magistrates to the commission of deeds of the most wanton lawlessness; and the extent of their powers, the undefined limits of their authority, and the fellow-feeling which makes their superiors so wonderous kind to their faults having generally protected them from the consequences of official interferance. The evil is notorious. The system now introduced, unless it be a part of a general scheme for the remodelling of the administration of the country or principles that never had an abler advocate than the present Lieutenant-Governor of Bengal, will intensify that evil.

The sudden and tremendous collapse of the system of employing Collector-Magistrate in the presidency of Madras must be fresh in the minds of the public. That it should be introduced in Bengal so soon after the occurence, must be a cause of wonder to many. Specially will it be a cause of wonder and astonishment when we remember the ability and spirit with which the present Lieutenant-Governor of Bengal,* only two years ago, exposed the mischievous tendencies of the system now introduced and the fallacies by which it is supported. We shall quote here his recorded language :

"The system whereby various functions, each of which is separate in other well-administered countries, are sometimes united in India, is represented in its most amiable view when it is called patriarchal. It is suitable and convenient as a temporary expedient in a new acquisition ; and it is a necessary expedient in a poor and ill-peopled province of great geographical extent. It is a very silent system, and goes on with little trouble to rulers, so long as the remembrance of the ancient misrule lasts, and so long as few Europeans, or others who have been accustomed to a regular government, fall under its operation. It is a great favourite with those whose administration is known to the public only by their own reports of it. But it has its long undiscovered abuses and its sudden explosions ; witness the Madras Torture Commission. Without, however, questioning the system, where it is appropriate, I ask if such a country as I have above described

* Sir J. P. Grant who was a member of the Governor-General's Council at the time when this note was recorded.

Bengal to be, is a fit country for a patriarchal experiment ? For this system two parties are required ; the sage and paternal ruler of a district and the dutiful family of subjects. Not to speak of the first requisite, I may safely deny that Bengal affords the last. One has only to read a native or an English newspaper with a mofussil circulation, to see that those for whom such mental food is provided have no filial regard for Government officers. They are past the patriarchal epoch. What they ask for are good laws, well administered by as many functionaries as the country can fairly claim with reference to its general circumstances and the taxes it pays. These classes want nothing from Government more paternal than this ; less than this they will not accept and all this they have a right to have. My mature conviction is, that they never can have this, unless incongruous functions are kept in separate hands, and every functionary is required to mind his own proper business."

That the author of this paragraph should have introduced a system obnoxious to its bitterest comments is what we can not bring ourselves to believe. We would on the contrary, settle ourselves deliberately in the hope that the new appointments only initiate a system in which the separation of judicial from executive powers would be thorough and complete. The Collector-Magistrate is to be the representative in his district of the executive Government, and of that alone. He is to collect taxes, but not sit to judge between himself and his debtor. He is to prosecute offenders, but not sit to judge between himself and those he accuses. If this be the aim of the Government of Bengal in the measure it has adopted, we can only cry it God-speed and wait with some impatience the fulfilment of its intentions.

X. CONSTITUTIONALISM IN INDIA

The regulation system is the eye-sore of a considerable portion of the Civil Service. The checks it provides against the abuse of official power, though neither complete nor always efficient, are sufficiently operative to be distasteful to an ambitious bureaucracy. The love of power, specially of irresponsible power, is a deep-seated passion ; and the regulation system offers obstructions to its full

gratification. The distinctive character of the system, as opposed to the non-regulation system, is that it forbids the concentration of official functions and powers in the same hands, and particularly the blending of judicial with executive functions. Those who have read the minute with which Lord Cornwallis inaugurated the system can not have failed to mark the perfect justice with which the statesman called it a constitution. The tendency of the regulation system is to establish constitutionalism ; and the bold clear language in which this fact is enunciated must strike every lover of freedom and progress with admiration of the statesmanship of the author. His followers have not, however, acted up to his principles. The single exception is to be found in the Marquis of Wellesley, and the fact almost warrants the political belief prevalent in educated Bengalee circles that India owes her liberties to Tories. Let not our readers note the short-comings of the Cornwallis Code in comprison with the scheme of English liberty perfected after many centuries. Let them rather compare the principles of British Indian rule before Cornwallis asserted the predomination of "English ideas" on this continent with the code he established, and the wonder will be that he could at the time and under the circumstances inaugurate a policy so startlingly in contrast with previous traditions.

One portion of the service, and with it a few other thinkers, English and native, have always contended for an extension of the principles founded by Lord Cornwallis. Down to the days of the Marquis of Hastings they commanded power and moulded the policy of the country. That nobleman first introduced the non-regulation system. He introduced it, it must be said in justice to his memory, in no territory owned by Britain, but only in those states which by his system of subsidiary alliances had come under his management. The system, however, flourished under the fostering sympathy of many of the schools who found many reasons why the whole of British India should be put under it.

Mr. Halliday, in many respects the representative man of Indian bureaucracy, best puts forward these reasons in support of the prime principle of Indian non-constitutionalism. The extract is from his famous Police Minute :—

51 "I am very sure that our mofusil administration will,

cæteris paribus, be generally efficient, while it is certain to be so acceptable to the people, according to the degree in which it conforms to the simple or oriental, in preference to the complex or European model. The European idea of provincial government is by a minute division of functions and offices, and this is the system which we have introduced into our older territories. The European may be able to comprehend and appreciate how and why he should go to one functionary for justice of one kind and to another for justice of another kind. The Asiatic is confused and aggrieved by hearing that this tribunal can only redress a particular sort of injury, but that, if his complaint be of another nature, he must go to another authority, and to a third or a further kind of judicature, if his case be, in a manner incomprehensible to himself, distinguishable to some other kinds of wrong or injury. He is unable to understand why there should be more than one hakim, and why the hakim to whom he goes, according to his own expression, as to a father for justice, should be incapable of rendering him justice, whatever be the nature of his grievance, or whatever be the position of his adversary."

Had the reply that follows been less than crushing, we might have been tempted to pen one which could at least have stung to the quick author of the foregoing paragraph. Mr. J. P. Grant, the most English of Indian Civilians writes :

38. " The system whereby—various functions, each of which is separate in other well-administered countries, are sometimes united in India, is represented in its most amiable view when it is called patriarchal. It is suitable and convenient as a temporary expedient in a new acquisition ; and it is necessary expedient in a poor and ill-peopled province of great geographical extent. It is a very silent system, and goes on with little trouble to rulers, so long as the remembrance of the ancient misrule lasts, and so long as few Europeans, or others who have been accustomed to a regular government, fall under its operation. It is a great favourite with those whose administration is known to the public only by their own reports of it. But it has its long undiscovered abuses and its sudden explosions ; witness the Madras Tortuse (?) Commission. Without, however, questioning the system, when it is appropriate, I ask if such a country, as I have above described Bengal to be, is

a fit country for a patriarchal experiment? For this system two parties are required; the sage and paternal ruler of a district and the dutiful family of subjects. Not to speak of the first requisite, I may safely deny that Bengal affords the last. One has only to read a native or English newspaper with a mofusil circulation to see that those for whom such mental food is provided have no filial regard for Government Officers. They are past the patriarchal epoch. What they ask for are good laws, well-administered by as many functionaries as the country can fairly claim with reference to its general circumstances, and the taxes it pays. These classes want nothing from Government more paternal than this; less than this they will not accept and all this they have a right to have. My mature conviction is, that they never can have this, unless incongruous functions are kept in separate hands, and every functionary is required to mind his own proper business."

The contrast between these two sets, of opinion is suggestive not merely of principles of Indian Government. In the administrative changes that are to ensue, whatever else is done, the marked differences between the various populations of India in character, habits and feelings will have to be borne in mind, and their government moulded accordingly. It may be, there are whole provinces inhabited by races who can appreciate only the patriarchal system of Government: for them the system sketched by Mr. Halliday is undoubtedly the best that can be devised. It is equally true that the system is inapplicable to the better developed capacities of the Bengalee people.

XI. PHILANTHROPY IN POWER

A contemporary states that the inhabitants of the district of Burdwan in the North Western Provinces have complained to Government against the Local Magistrate for extorting money from them for the construction of roads and markets. Had the offence charged been less common than it is or had it been committed from motives less amiable than they are we would have pleaded for some severe punishment upon the delinquent official. Unfortunately, the sort of extortion complained of is systematically practised in other parts of the country. It is in keeping with that patriarchal system of

Government which finds so much favor with a large number of Indian politicians and almost the entire bureaucracy. Roads, bridges and cannals, whether on the surface of the land or of paper attest civilization—and the energy and ability of the district official. There is, as we may well believe, a genuine desire to do good underlying the other motives which prompt officials to abuse their power in this respect. There are few among the "crying wants of the country" which have in turn been so incessantly and so loudly cried about as the want of roads and bridges and canals. Mr. Thomson to meet this want actually usurped the powers of the legislature, and instituted the road fund which was supported by a cess of one per cent. on the land revenue of the upper provinces. Even we are not prepared to deny that Mr. Thomson was actuated by real benevolence in the matter. The benefit, however, which the population laid under the impost derived from the measure was well manifested during the rebellion. Philanthropy in power is apt to over-govern, and over-government is closely allied—for it stands in the relation of parent to the child—to anarchy.

High example and the traditions of a much lauded age might plead some justification for the conduct of a N. W. P. Magistrate in extorting money for making roads and bridges. But what shall we say of Bengal officials who under the very eyes of the supreme government indulge in oppression of the most flagrant kind under the pretence of promoting public works of utility? The columns of the daily papers teem with complaints of such high-handed exercise of power; but they contain hardly the whole truth.

XII. THE MANDARINS

In the highest form of statesmanship, that which by a few grand strokes of policy at once raises the position of a nation to a high level or determines the conditions of its progress, the moderns show no superiority to the ancients. Cromwell or Chatham scarcely did more than Pericles or Philip of Macedon. If seven kings of Rome are myths, the advancement made by the imperial city with in the first century of its existence has not been surpassed, in sureness and rapidity combined, by any modern society. But in the ordinary business of administration the civilized communities of modern

times are as far ahead of the civilized nations of antiquity as the range of their knowledge is more varied and extensive. We question whether the Areopagus itself dispensed justice as well as any Punjab Extra Assistant's court. We are sure that no two archons or consuls in succession could be entrusted with the custody of so much money as the Sub-Treasurer holds. We have serious doubts as to whether the Attic or the Roman republic possessed an Accountant-General. The Roman special commissioners, as we learn from Niebuhr, had well nigh driven the Roman Zemindars into rebillion. The despatches of the Proconsuls, we can well conceive, were as deficient in truth as the proverb has it, and infinitely more so in the number and beauty of their paragraphs. The Athenian Home Office, we are sure, had no printing establishment attached to it.

We have said that this superiority of the moderns over the ancients in administrative matters is the result of the greater variety and extent of the knowledge of the present times. Important branches of the science of Government were wholly unknown. Political economy is a discovery of only the other day. Commercial law was not needed in communities that gave nothing to credit and bartered nothing for paper. Their judges administered Mr. Temple's Code (though some of them, strangely enough, studied law for years before they took it into their hands). The simplicity of political action and administrative energy were not hampered by journalism. Our rulers are chosen not for their personal virtues so much as for their knowledge. It is this absolute necessity of a great amount of knowledge to the proper conduct of public affairs which compels modern society to submit to the government of scholars. It is the progress towards the perfection of this system which has brought us to the age of competitive examinations.

The Court of Directors once had the foolishness to call the Civil Servants of India highly educated. The phrase has since stuck to the body in spite of its truthfulness. There is no denying that even in a technical sense and tried by the English standard of scholarship the Civil Service are a body of well-educated men, but it does not suffice for an Indian official to be an ordinary good scholar. Here in this country a number of questions are presented to him for solution which can be solved only by genius or special

powers. In a land of intellectual stagnation efforts are not made to investigate or examine. The press is in the hands of ignorant people, " Society" talks only of marriages, salaries and the P and O Company's steamers. No body, in fact, would have had an opinion on Indian questions if the Mills, father and son, and a few like them, had not been. And when such an opinion is caught hold of it is cherished, acted upon, defended, and transmitted as an heir-loom to the next generation of Civil Servants who, lazier even than their predecessors, question not its soundness though the world around laugh at the antiquated thing.

It is to this source, the mingled deficiency of scholarship and thought, that we owe a good many of the social troubles we have recently been afflicted with. Nine-tenths of the Civil Service believe that the land tax falls only upon the agricultural class. Three fourths of them are strongly of opinion that the oriental idea of government is realised in the administration of Collector-Magistrates. Englishmen in general know that zemindars were a creation of Lord Cornwallis. Fallacies and errors of this kind without number govern English policy in India. They have a traditional weight on the minds of the old Civil Service. The Mandarins, however may emancipate themselves, if they choose from this thraldom, and examine each " Indian question" themselves.

XIII. THE CIVIL SERVICE AND THE NATIVES*

There is one passage in the memorial of the British Indian Association to the India Board which we would recommend to the careful perusal of those who believe the document expresses the wishes of a body of place hunters. It is that in which reference is made to the exceptional character of the relations between the Civil Service and the natives of India in regard to the general progress which have characterized every other branch of Indian Government. The political, the social, the commercial and the material interests of the country have all progressed at a rapid and uniform pace,—all but the interests with which the Covenanted Civil

* February 12, 1857.

Service is identified. We are not of those who under-value the benefits which the Service has conferred upon the country. We cheerfully admit its many and high merits. But we contend that, at the present time and under its present constitution, it is an anachronism. Mr. Macleod insists upon the institutional character of the Civil Service in India. It is, according to him, not a mere body of administrative agents, but a local aristocracy. Much ridicule has been cast upon this idea of Mr. Macleod's. It is nevertheless a much sounder one than the idea of the shallow politicians who would reform the Indian administration by a free infusion into it of genuine Anglo-Saxon energy. The close Civil Service has hitherto done not a little to protect the people of India from those dangers which might have resulted from too close a contact and from collisions too frequent with unbroken Anglo-Saxons. The policy however, which placed the Civil Service in this hon'ble, useful and, we may add, riskful position, is superannuated ; the country has outgrown the need of such protection ; and the close Civil Service, the instrument of a temporary policy, and an institution un-rooted in the deeper parts of the social frame, must make way for an agency less pretentious and better suited to the altered requirements of the time.

The Civil Service acquired its institutional character in Bengal at the same time that the country was endowed with a fixed code of laws with codes of judicature, with an organised legislature, with an acknowledged private property in the soil, and with the other requisites of political existence of civilised communities. The relation in which the Service was then placed to the other parts of the constitution was well-defined and one suited to the circumstances of the time. There was a newly acquired territory, with a population of doubted loyalty, with numerous elements of sedition and turbulence, with besides, a bureaucracy hopelessly corrupt. To secure the political interests of the imperial state in this country it was necessary to place all efficient political power in the hands of members of that state ; and, accordingly, every office of power and emolument was withdrawn from the hands of the natives and lodged in Englishmen. It was again a pure and statesmanly purpose to introduce in the frame of a corrupt Asiatic constitution European ideas of right, property, law and progress ; this purpose was secured

by placing the entire civil administration of the country in the hands of a body of Englishmen specially educated for their duties, and carefully placed beyond the reach of temptation. It was, however, necessary to protect the people from too minute interference with their social concern of men with hot European ideas ; and this necessity was met by leaving the people the whole body of their national laws, and the entire management of their social and municipal affairs to conciliate the people, to compensate them for the loss of official power, and to attach them to British rule, as well as to plant in country the most powerful elements of order and tranquility ; and absolute private property was declared to inhere in those who formerly held the virtual property in the soil and a hereditary territorial aristocracy, but divested of all peculiar personal or class privileges, was instituted. The result has proved the wisdom of the authors of this scheme, and more than justified their high anticipation.

If the above sketch of the constitution which Cornwallis gave and Wellesley perfected for this country be at all correct, the position occupied by the Civil Service with reference to the other members of the body politic becomes clear. The Service was firstly the direct representative of the imperial state and the guardian of its interests in this country, 2ndly the agent of European civilization in British India. That the members of the Service were appointed by the Directors of East India Company instead of by the English ministry of the day is an accident which need not be taken into calculation at all. The Service was an estate in realm as the Royal Court of Supreme Judicature was another, and the land proprietory a third. They balanced each other, checked and counter checked each other, and under this shade of a constitution founded on British principles, but adapted to Asiatic circumstances, and framed with special reference to the exigency of future progress, the country advanced rapidly in wealth, prosperity and civilization.

But this very progress has evolved conditions which require an altered adjustment of the members of the body politic. The Civil Service has long become unequal to the administrative wants of the country, vastly increased as they have been by the advancement of our material interests, and its deficiencies have been

supplied by the appropriation of an important part of its functions to native officials. Its utility as the sole organ of European civilization in India was diminished by the admission and employment of agencies better fitted to instil European ideas into minds of the Indian population. It is now simply ridiculous to say that the existence of British dominion in India depends upon the exclusively European composition of the Civil Service. In all these respects, the Service is virtually *functus officio*. On the other hand, the increase of wealth and intelligence among the people and their appreciation of British rule have confirmed their loyalty and imbued them with a strong desire for direct political power. The freer action of governmental influence in our social affairs has rendered it necessary that influence should not be of a wholly alien character. Wealth, intelligence and social influence divorced from political power have become sources of disorder. Their reunion is become a measure of urgent necessity. Their continued dissociation is defensible on no ground of justice or policy.

XIV. CIVIL SERVICE EXAMINATIONS *

The memorial addressed by the British Indian Association to the India Board on the subject of Civil Service Examinations in India has drawn forth but one formal reply from Calcutta Press. The *Hurkaru*, in an article compounded, curiously enough, of Mr. Macleod's racy logic and the vapid conventionalities of *soi dissant* "society" proves to its own satisfaction and to the satisfaction of all others who did not stand in need of such proofs, that it would be inexpedient to admit natives of India into the covenanted civil service of the country. As respects the *Hurkaru's* imputation of personal and selfish motives to the members of the Association for moving in the matter, the answer is a short and simple one. Those who most interest themselves in the affairs of the Association and contribute the largest to its support happen to be persons who are not at all likely to allow their children to trouble the examiners for the Indian Civil Service. Interested action is however, not a serious offence in a political body, and

* February 5, 1857.

the Association would not lose its consequence by being understood to be the representative of those classes of the Indian community which aspire to a share in the higher offices of the state.

So much for the motives, now for the matter. The *Hurkaru* treats the memorial as an argument for the recognition of the eligibility of natives to the covenanted Civil Service. Our contemporary needs to be told that this eligibility was affirmed a quarter of a century ago by the highest authority in the realm. The task of the memorial is the easier one of exposing the dodge by which the intentions of the Supreme Legislature have been set at naught by a wily and selfish executive. That this task has been succesfully executed is apparent from the fact that the defenders of the present system are in the course of the discussion thrown upon the merits of the previous question—whether the higher offices of state in India should at all be opened to natives of the country,—a question which, let us again remind our contemporary, has been settled. Such dodges, we admit, are not without precedent in British history. The mean shifts which were for a time resorted to by a section of English politicians to prevent the Catholics of Ireland from profitting by the Emancipation Act show to what trickery a party, baffled in fair political warfare, may be driven. The giants, however, who won Catholic Emancipation were not to be fettered by such bonds as their opponents could wind round them; and Catholic Emancipation became a fact as well as a statute of Parliament. The British Indian Association has now a similar task before it. It can not, of course, command the influence which the leaders of the Catholic Association wielded; but its opponents are proportionately weak in organization and influence.

For twenty years after the first formal recognition of our eligibility for offices of trust and emolument under the government of this country, we made not the slightest efforts to take advantage of it. We fondly hoped that the contumacious executive which had nullified the effect of that declaration would, at the first review of Indian affairs, be deprived of the power of nullifying it longer. The legislation of 1853 convinced us of our mistake. We became convinced that valiant, pertinacious and unyielding endeavours must be made by the political leaders of the Indian people to

ensure them a fair share of those offices in which their right to practicipate had been admitted. If it now be anybody's purpose to oppose this admission, let him fairly propose its repeal in the Imperial Parliament and abide by its decision. A sneaking policy which can not endure the gaze of the civilized world must be dragged out of its lurking hole and made to stand question. And to compel this avowal is precisely the immediate object of the memorial.

The gist of the *Hurkaru's* argument is that if natives are admitted to any of the offices now held by covenanted Europeans discontent would spread over the land. We endeavoured in our last number to expose the fallacy of this imputation on our national character. We pointed out its utter baselessness. We will now, however, for the sake of argument, admit the correctness of the fact advanced by the *Hurkaru*. We will admit that the people of British India are more discontented now when the entire administration of civil justice in the first instance is in the hands of their countrymen than they were when natives could hardly, adjudicate upon a petty tradesman's claims. We will admit to Sir Charles Wood, Mr. Halliday and the *Hurkaru* that, since a Bengalee Magistrate was placed on the Calcutta Police bench the overwhelming strength of the troops in Fort William has alone saved the citizens from the dire catastrophe of "finding their throats cut every morning they rise from bed." We will admit that, if Civil Service Examinations were instituted in India, the Zemindars, the propertied classes, and the educated classes, all in fact possessing influence in society and capable of organizing revolution, will be disgusted at the opportunities which will thereby be placed within their reach of retrieving this position in society and of honourably providing for themselves and their sons and relatives. We will admit all this, and as much more nonsense as can be heaped by our opponent of this head of the question. But all this only contributes to heighten the baseness of the deception of which the India Acts of 1833 and 1853 are recorded proofs.

XV. THE CIVIL SERVICE*

The Madras Athenoeum reviewing Mr. Mead's work on the Sepoy Revolt gives it as his opinion "that among the thousands of civilians who have been employed in India, all are not Elphinsstones and Thomasons, nor even up to the level of John Fryar Thomas but that the common infirmities of human nature are as widely diffused among them as among any other body of men, and that, in some instances, there have been many black sheep indeed." Our contemporary has been a pertinacious opponent of the Civil Service for a long time, but if that body deserves no stronger censure than is expressed in the lines we have quoted, he in effect differs little from the most indiscriminating admirers of the service. The service itself does not pretend to perfection or immaculacy, and our Madras contemporary does not profess the creed of the *Dacca News* that to enter into a covenant of service with the East India Company is to ensure one's damnation.

The Indian Civil service has been from the date of its formation a corporation in itself. As close in its constitution as any guild of the middle ages, it has its own peculiar objects, peculiar training, peculiar maxims of actions, and even a peculiar code of morals. It is an institution, and it has a history as distinct as that of any other institution in the civilised world. It is a dynasty, and is the object of dynastic attachments and hatred. Its existence in this peculiar form is, however, identified with that of the great corporation whose offspring it is. Now, therefore, when the past career of that corporation has come to be reviewed in earnest, it is found that the career of the parent is the career of the child, that to criticise the conduct of the Company is to criticise the acts of the Indian Civil Service.

The defence of the Indian Civil Service against the censure of it implied in the threatened abolition of the East India Company is identical with the defence put forward by the Company itself. It has on the whole governed India well—indeed better than the Civil Service of any of the territories governed directly by the ministry of the Crown has administered the affairs committed to their charge. The truthfulness of this proposition will not be contested by any

* March 13, 1857.

but a few rabid radicals. But this is not the whole truth. It may lay even a higher claim. It may say that it peculiar constitution enabled it to overcome difficulties to which colonial governors and ministers would have succumbed. It has been successful beyond measure. Yet this does not suffice for the defence of the Civil Service as an institution. It does not suffice that, by its instrumentality, the public revenue has been systematically collected, for it yet remains to be proved that better systems of taxation than have been founded and worked by the service could not have been brought into existence by other agencies. It does not suffice that law has been introduced and justice has been administered by the Civil Service so as either function of government had not been exercised in any previous period of the country's history; for it hardly remains to be proved that better law and a better administration of it could not have been secured to the people through British lawyers. It does not suffice that the Civil Service has protected the natives of the soil from the aggressive tendencies of Anglo-saxon progress—a merit that admits of no detraction. It does not even suffice that the Indian Civil Service comprehends the only body of European administrators, besides those whom Russia sends forth, that can understand and work an imperial policy—a policy which recognises the rights of citizenship in the man of colour, of alien birth, of a strong religion, and speaking a strange dialect. All this, we say, does not suffice to make a valid defence if it should be found that the Civil Service has obstructed real progress and has not regarded the conversion of the natives of India into British subjects in spirit as they have for many years been in fact.

Tried on this count the Indian Civil Service can not, we fear, expect a verdict of acquittal. From the first it has offered a passive but determined resistance to the progress of constitutionalism—the true form in which British political action manifests itself wherever it is allowed fairly to operate. From the first it has proclaimed itself the governing agency of an Asiatic power, of an Oriental despotism. From the first it has denied the capacity of the people of India to participate in the political progress of rest of the British dominions. From the first it has opposed the introduction of "English ideas" into the internal policy of the country.

It has discountenanced English education, the spread of English language, and the adoption of the external forms of European civilization. It has discouraged special progress except in the direction of material prosperity. Lastly, it has monopolised political power, and exercised a sort of social tyranny intolerable alike to natives and Europeans. For these grave offences it deserves the penalty of extinction it has incurred. These offences are the effects of the system, and the system must therefore be broken up.

But the system has produced some really great men. Even contemporaries admit that. And it would have been strange if the fact were otherwise. The scope for administrative action is so great in India, the interests to be dealt with are so large and so pliable, that ordinary ability is sufficient for the effectuation of much good. The circumstances of the country foster statesmanship. What wonder then that several generations of educated men should have sent forth from among them a few for whom place may justly be claimed in the front rank of statesmen.

It is equally a matter of course that so many temptations as beset the Indian Civil Servant should have in some instances proved too powerful for official virtue.

XVI. EMPLOYMENT OF NATIVES

An excellent article that we quote from the *Bombay Times* enunciates some principles which can never be brought too frequently to the notice of the British public. The continued exclusion of the natives of the country from the higher offices of state is neutraling most of the benefits which an otherwise benign Government is conferring on the land. It is vain to open roads, establish schools, dispense medicines, distribute justice, and import wealth in abundance, if feelings and sympathies of the most powerful operation are wounded by a cold and systematic neglect. It is time that justice should at last be done to our countrymen in this respect, and they be allowed a fair share in the distribution of the "loaves and fishes" of their own country. Dis-appointments, resulting from the loss of political independence have kept us on the background, while other nations have risen

in the scale of civilization. The sorest of them should now be removed. The permanency of the British Empire in India, the cause of justice and the honor of Britain equally call aloud for it. Time was when the grant of the request might have been thought premature, but it has passed by and a change has come which makes the unbarring of our prospects a matter of urgent duty with the British Government. The act cannot be deferred without inflicting deep sorrow on the mind of the nation.

That we are entitled to a larger share in the administration of the country is borne out by the testimony of persons of vast local experience and knowledge. We will select, for example, the last competent witness who has spoken on the subject. Mr. Mills who was of the Bengal Civil Service, our readers will admit, is an authority in such a case. He was a Judge of the Sudder Court and latterly a member of the Legislative Council of India for Bengal. His knowledge of Indian affairs must be admitted to be great, and his opinions ought, we think, to be considered, on most questions of practical import, decisive. His evidence before the Colonization Committee has elicited facts which after the Rebellion naturally carry all the greater weight with them. "The character of the native Judges and police officers ;" he says ; "is very much improved of late years, they are well qualified to fill high offices of the Government of the country and to sit as members of the Legislative Council." The causes assigned by him for this improvement are the increase in their pay and superior education. He says in another place, "native character has improved—and is improving, and I think that as we pay them higher it will improve still further."

Mr. Mills is not the only person who has thus testified to the intelligence and improved character as of our countrymen public servants. There are others of equal authority who have done the same. The Salary Commissioner in his recent report says that if the Government wishes to have better service from the natives it should repose in them a larger share of confidence. What reasonable objection there exists after these strong recommendations to throw open the service to the natives we are really at a loss to conceive.

There can be no better opportunity for making the trial than

the present when the financial state of the country renders reduction in the expenditure of the state imperative. Supposing the appointments of Collectors, Accountants to the local Governments, and other such offices were filled by this class of men a clear saving, we presume of twenty-five per cent on the scale of pay recommended by the Salary Commissioner, can be effected without impairing the efficiency of those offices. It is essential to the good administration of the country that the indifference usually shown by the Government in regard to its native servants should give place to feelings of greater consideration. In illustration of the above assertion we would adduce the case of the present subordinate native Judges. No class of public servants with their responsibility are so inadequately paid. Common clerks in most offices, who have not even the tenth part of their responsibility, are highly comparatively remunerated and considering the position which the former are required to keep up in society and the temptations to which they are subject, not very easy to resist, the character they have maintained does them the highest honor. Some of them have conducted their duties with an ability and intelligence which are equal, and in some cases even superior, to that of the European Judges. The question of increase to the pay of this most useful class of public servants was fully discussed in 1853, and the Governments both here and in England in a manner pledged themselves to redress the crying grievance. But the resolution, we regret to observe has not yet been carried into effect. To augment the expenditure of the state under the head to the extent of two lacs of rupees per annum is considered a burden to the finances, while lacs and thousands are spent for purpose of no real benefit to the state. We request, therefore, the present Lieutenant-Governor of Bengal,* whose opinions on the subject are well known, to take in hand this question of justice to the most deserving class of his subordinates, nor let it drop till he sees full redress done.

We shall next direct our attention to that part of Mr. Mills' evidence which relate to the present constitution of the Legislative Council of which, as stated before, he himself was a member. He is of opinion that should the present powers of the Council be

* Sir J. P. Grant.

continued, the interests of the various classes of the community should be represented in it. In fact the absence of this important element has set at naught the objects of its creation, and it has done greater evil than good to the nation. We earnestly recommend therefore that in the arrangements which are ere long to be made for supplying its place this important point be not lost sight of.

XVII A NATIVE JUDGE FOR THE HIGH COURT*

We have collected from the minutes of the Judges of the Supreme and Sudder Courts and of other authorities consulted on the questions of amalgamating those Courts, their opinions on the proposed nomination of a native judge to the bench of the High Court. The extracts, which will be found in another column, form a most amusing display of national, professional and class prejudices. The topic, indeed, was one on which it was impossible for parties personally interested in the issue like the Supreme and Sudder Court judges to speak with perfect candour or coolness of judgment. A certain amount of bad logic, a large number of thoughts owing their parentage to unavowable wishes and an immense amount of ignorance precisely opposite to the question treated, were, perhaps to be expected; and the public will find that their highest expectations on this head have been realized. But we were also led to expect some diversity of opinion on the subject. In this respect, we have been sorely disappointed. The three judges of the Calcutta Supreme Court and Mr. Justice Burton of Madras are perfectly agreed on the points that the amalgamation of the Supreme with the Sudder Court is an unnecessary and an unmitigated evil, and that all the judges of every High Court ought to be English barristers; while the four judges of the Sudder Court deprecate the proposed amalgamation as injurious to the Civil Service and a peculiar hardship to Zilla judges; and all cordially agree in thinking that the admission of a native into the amalgamated Court would be a calamity to which the existence of the Supreme and Sudder Courts in their present state is not to be compared.

* January 29, 1857.

Whether the High Court next year becomes a fact or not, a change in the constitution of the Sudder Court seems to be inevitable. This change will necessarily be effected by the nomination to the Sudder bench of lawyers trained out of the sphere of the Civil Service. That one or more English barristers will be appointed appears certain, and the question whether a native judge will also have a seat in the Court will again be brought on the tapis. Its decision, however, will not much rest on the opinions of Supreme Court or Sudder Judges. The Government of the day will, no doubt, be considerably influenced by the opinions of those high authorities, but they will nevertheless make large allowances for bias and interest from the value of those opinions. It can scarcely be supposed that any statesman of the present day will surrender his judgment to professional gentlemen who seriously believe that there is science in the English practice of the law, or to lay personages who would sacrifice the reform of the Indian judiciary to the vested rights of Zilla judges. The question will be argued and settled on considerations more generally appreciable. The objections brought forward in the series of notes we have extracted exhaust nearly all that can be said against the admission of a native Judge on the bench of the High Court. Out of these we will select those to which the public are likely to attach any importance.

1st. That there is no native intellectually fitted to be associated with trained European Judges in the business appellate judicature in the last resort. It will be seen that this argument is advanced—most strongly by those who have had the least opportunity of judging of the capacity of natives for the business of judicature. None of the judges of Her Majesty's Courts of Judicature have, we believe, ever seen a judgment drawn up by native judge or a statement of reasons of appeal drawn up by a native vakeel or even heard a native pleader arguing a point ; and it is these gentlemen who most violently declaim against the intellectual competency of natives to discharge judicial functions. They base their assumption upon a series of propositions each of which needs only to be stated to be scouted by the educated public as a transparent fallacy. To believe that no native is intellectually competent to sit in the High Court, you must believe that no native delivers an

intelligible judgment or draws out an intelligible statement of reason of appeal; that in a profession open to trained European lawyers, such as pleading in the Sudder Court, natives have continued to take the lead without any share of intellectual capacity; that the training of English lawyers includes education in the jurisprudence; the English lawyering in a science; that all the precautions which Indian statesmen have taken to prevent native Shiristadars from trenching upon the functions of Zilla judges are useless; and finally that the examinations which native lawyers are now subjected to before they are allowed to practise is not more severe than the generality of English, Scotch or Irish advocates would choose to pass. We admit the advantages of the superiority of general education possessed by English lawyers and the gentlemen of the Civil Service. But is not the superiority more than balanced by the special knowledge which a native can always bring to bear upon the business of judicature in the first instance or in appellate sittings?

2nd. That no native can be relied upon for integrity in the business of final appellate judicature. We have the recorded evidence upon oath of such a man as Mr. Hawkins that, since the introduction of the new system of making appointments to the uncovenanted judicial service in 1831, not one charge of corruption has been brought against any one of the hundred and odd Judges appointed under the new system that has challenged a moment's belief. Those who would have you believe that not a native can be found with honesty enough to be trusted on the bench of the High Court ask you to believe that there are fewer securities for good conduct in the position of a man promoted to the highest eminence in his profession,—after careful selection from amongst hundreds of competitors themselves selected with special reference to good character from among thousands,—remunerated on a scale calculated to scare away corrupters of all but the most extraordinary means,—acting in conjunction with incorruptible colleagues,—placed at the focus of public opinion, his every act, word and gesture exposed to the scrutinity of barristers and vakeels—than in the position of a man placed in some obscure village, beyond all immediate or direct control, without the pale of public opinion—and with a salary just sufficient

to protect him from starvation. We have condescended to agree on the assumption that the native to be selected for the High-Court is to be a man actuated by no principle or consideration other than love of money, and that he has a perception of his interests barely sufficient to enable him to calculate the superior profit of being honest.

3rd. That the public confidence in the Court will be impaired by a native forming a member of it. This argument is brought forward by the Civil Service Judges whose opinions we are reviewing, and is worth the consideration which we would refuse to Mr. Justice Jackson's nonsensical effusion. Gentlemen who have filled the office of Zilla Judge sometimes receive from parties to suits petitions praying that their cases may be withdrawn from the file of one native judge and transferred to his own or to the file of another judge. It is from these petitions only that Civil Service judges infer the existence of that want of national confidence in native judicial worth to which advertence is made,—for Civil Servants never mix in native society and could not have other data for the inference than those we have mentioned. The inference is unsound, because it overlooks the fact that there are no European judges occupying relatively to native judges the position which the latter hold in respect to the former, and therefore there is no certainty that similar want of confidence would not have been similarly manifested in European judges, if their position allowed such imputations to be made upon them; because the practice of making such petitions as we have mentioned is encouraged by most Zilla Judges; because it is seldom that such petitions are made until some progress has been made with the trial of the cases the transfer of which is desired, the fact clearly indicating *mala fides* in most instances; and because European or East Indian judges in the uncovenanted service are as often petitioned against in this manner as native judges. Other facts, too, must be taken into consideration. The minutes of the Supreme Court Judges—from which we have made extracts—contain painful allusions to the want of confidence felt in the independence of courts presided over by Civil Service judges because they are servants of Government. How do the Sudder Judges relish these aspersions and how do they estimate the truthfulness of the charge?

Lastly, it should not be forgotten that the systematic official degradation in which natives are held has exercised a no very beneficial influence on the tone either of native public opinion or of native official opinion, and it is only surprising that a service so ill-treated as the uncovenanted judicial service is, should not have been further demoralised than it is—should yet maintain the high character it does inspite of such discouragement. Surely, if ever the judicial maxim of allowing nobody to profit by his own wrong has been violated, it is in the case of the Indian Government which, after doing all it can to injure and lower the character of native officials, is allowed to plead that injured and lowered character as an argument to injure and lower it more and more.

4th. The political danger of introducing an alien into the highest judicial seat. There would have been much in this argument, if the bulk of the property in the country had not been in the hands of natives. It is not in the nature of things, that property can long be dissociated from political power. We admit that the close Civil Service of India has sanctioned (*sic*) with real benefit to the state, in its day; but that benefit was in a great measure lost when the service was thrown open to competition, and it will be entirely gone when barristers, though Englishmen, are allowed, to practicipate in civil power.

We perceive no other objection that is worth a refutation. We will adduce but one illustration of evil that has resulted from not having had a native in the highest Court of Civil Judicature in the country. Every student of Indian history knows that it never entered into the thoughts of the framers of the permanent settlement to deprive the mass of the population of this country of their landed rights. Yet such undoubtedly has been the tendency of the system founded upon that settlement. And why? simply because those rights were left to be gathered from usage, and the usages of the country were left to be interpreted by Englishmen. Englishmen can not conceive of a limited Zemindary or free tenant right. The English tenant is a descendant of a serf. The Bengalee rayat is a descendant of an allodialist. Our English judges could never realize to themselves this distinction, and they required of the Bengalee peasant proof of his rights which, if asked of the English nobility, would soon place the soil of England at the

disposal of Ernest Jones. Would a native judge in Sudder Court have declared, as one of the best and ablest of our Civil Service judges has declared, the law of khoodcost tenancy to be, that it should, like Jacob's ladder reach the skies ?

XVIII THE PUNJAB OFFICIAL EXAMINATIONS*

Sir John of the Model Government, has by the inauguration of a novel system of examination of candidates for the office of Extra Assistant Commissioner in the Punjab, virtually closed the door against all natives to that class of appointments at his disposal.

A notification, published in the Punjab Gazette of the 19th ultimo, calls into existence a committee to be composed of the Director of Public Instruction, a Principal or Professor of a Government college, a chaplain, a Civil Engineer and a passed Civil officer to assemble once a year at Lahore in the month of November with a view to receive applications, backed by certificates of good moral character, from all candidates for the situation other than natives ; to test their proficiency in the ordinary branches of school education, in the elements of Geomotry and Algebra and their practical application to surveying, in the leading facts of Indian and English History, and in the art of composing with facility in at least one language ; and to grant diplomas of fitness to passed candidates, which are to be the future passports into the service.

Natives are simpiy told that they can not attend these examinations without the why and the wherefore of the interdiction ; but they are liberally encouraged to hope for a hereafter.

What blessings Sir John means to shower upon our countrymen hereafter, he does not deign to disclose ; but to our shallow thinking, his large promise may be accepted by the native community as a covenant, " full of sound and glory, signifying nothing !"

Considering the present state of educational progress in the Punjab. Sir John may perhaps be justified in denying to his Sikhs the privilege of examination, but why all India should be shut out from Sir John's happy dispensation, is to us a mystery.

The notification we have epitomized above is acknowledged to

* July 15, 1858.

be based upon a resolution of the Government of India, under date the 18th January 1856; but though that resolution expressly declares that natives and Europeans are alike privileged to stand for the examinations, yet Sir John takes upon himself to prevent the liberal spirit of that order by denying to the largest class the benefits intended to be secured to it.

Non-Regulationist as he is, it was not for him to carry out orders, his fiery genius would not brook the restraints of rule. He could not trudge along a beaten path, smooth and even though it were, and he has accordingly bodily struck into a new path without stopping to enquire whither it will lead him. But that he will be compelled, the moment his aberrancy is discovered, to fall back upon the more practicable route, we feel as certain of, as that he will disappoint public expectation if he should ever be nominated to the Governor-Generalship of India.

Injustice so flagrant and wanton as is manifested by the notification, would hardly have been dreamt of at any other season than the present. But the times have undergone a change. Panday has revolted and his sins must be visited on the heads of the millions who claim with him a community of religion, or a community of birth! How is it possible to discriminate him from his brethren? Are not their complexions, their features, their ways of living, their habits, their manners, customs, thoughts, feelings, sentiments, predilections, prejudices nearly alike? Are they not fed with the same food, warmed with the same clothing, fanned by the same breeze, lighted by the same sun, heated by the same summer chilled by the same winter? And does not a common diversity of religion and of race by instinct make them irreconcilable foes to the Christian and to the European and excite in them a rabid thirst for blood! What need therefore for separating the wheat from the chaff? Why may not all Indians, under circumstances such these, be proclaimed as enemies of mankind and hunted down like wolves and tigers in their dens? India should be swept clean of these monsters, and those whom the halter and the sword might be weary of destroying, should be taught the stern reality, that they have no more right of person than sheep at the shambles, or of property and of citizenship than the negro of South Carolina or the serf of Russia.

Such sentiments as these are congenial to a class of men whose only claims to humanity are their religion and their race. To them arguments so cogent are conclusive of the justice of a measure to which no less a person than the ruler of the Punjab has in a most commendable spirit accorded his sanction. But notwithstanding the predominance of such mischievous influences and the perpetration of such gross administrative blunders ; notwithstanding that the howl for retribution has been horrifyingly responded to by the decimation of the Hindoostanees, by the laying waste of whole districts, by the demolition of cities, towns and villages and the reduction of millions into beggars ; notwithstanding, we say, that ever since that cursed day—the 10th of May, 1857—from which we may date our country's desolation and downfall, every act, public and private, has had for its object our national degradation, we can still afford to put up with our wrongs, to look on hopefully for a time when our very meekness and innocence will overcome the ferocity of the times, and to pray sincerely and fervently to the king of kings for the prolongation of British Supremacy over India from a consciousness that, as long as we have a Government with Lord Canning at its head and a British Senate to observe its proceedings, our claim to a fair participation in the benefits of a civilized rule cannot be compromised in subserviency to the new principle of " India for the adventurer"!

When Lord Palmerston gave notice to the Court of Directors of his intention to present a Bill to Parliament for the abolition of the double Government, and for placing India on a footing with the Colonies, we were startled by the violence of the change ; our prescriptive faith in the administrative abilities of the Court, which had been built upon the experience of three quarters of a century, though rudely shaken, obstinately refused to yield to a shock even dealt by so powerful a hand as that of England's veteran Premier ; the changed proposal looked awfully portentious to us, and we feared that our good vessel would be lost on the rocks and shoals of Parliamentary discussion ; but our brief experience of Parliamentary interference, exercised on a recent occasion, has disabused us of our apprehensions. The principle, enunciated in respect to the treatment of the rebels after their subjugation, will ever be regarded in India as a monument of Parliamentary influence, (*sic*)

will prove as effective in watching over our interests and protecting us against aggression as it has been in maintaining the integrity of the British constitution.

But we have been digressing from the subject. We have already said that Sir John, in a most commendable spirit, has freed the Punjab from the intrusion of natives. His antipathy to the cringing Hindostanees and his detestation of the audacious Bengalee, will not permit him to tolerate their presence within the pale of his authority. Influenced perhaps by a conciliatory spirit, he may hereafter make special provision for a Shikh or two, to induce a belief that situations of the class under notice are as accessible to them as they are to Christians; but even then he would be ignoring the fact, that there are thousands of natives who are as competent, by reason of their literary and scientific attainments, to claim the privilege of examination as any Christian who might consider it worth his while to covet an Extra Assistant Commissionership in the Punjab. The Chief Commissioner evidently seems to forget that there are such things in India as Universities which annually offer to the world young men of equal literary and scientific pretensions to those who have graduated in the universities of Europe, and that the Government resolution of January 1856, which we have cited above, contemplates placing our university graduates on the same footing with successful candidates at the official examinations; but we doubt not that a representation by our graduates to the Supreme Government would greatly assist in brushing up the great man's memory. Such a representation would settle the question at once and for ever, though it would give the Punjab Lion sufficient provocation for a growl.

INDIANS & EUROPEANS

I. THE PENAL CODE *

This production of legislative labour has at last made its appearance in the shape of a Bill passed the first two easy stages of progress in the Legislative Council. Substantially it is the same work which the Indian Law Commissioners with Mr. Macaulay at their head turned out of their hands a score of years ago. Upon the quality of the code, thinkers capable of forming an opinion on the subject have almost unanimously come to a definite conclusion. The Code is a piece of literary labour unsuited to the frame of any society, and specially to the frame of Indian society, and is only tolerated because India is utterly without a body of ascertainable penal laws. Had the legislature of British India or its judges formed such a body of penal law as would but meet most pressing requirements of the community, the code would have been regarded as considerably worse than useless; but the alternative of codification, in the view of the Indian Government and its advisers, is a continued resort to Moulvies of Mahomedan law. It is this necessity, and we may add, a dread of English law and English lawyers, which have helped this code to its present position as the rule of civil action to a tenth of the human race It is to be regretted that an interest so vast as the civil ethics of the Indian population should have hitherto been left so utterly uncared for as to drive it to the protection of fanciful and theoretical legislation.

It is now, perhaps, too late to ask whether that great want of the country, a body of Penal Laws intelligible to those who are to administer it, could not have been supplied except by the extremely objectionable and inefficient mode of codification. It is notorious that codification is viewed by the higher order of minds which sympathise with law reform as a dangerous and, when successful, not a very useful task. It is notorious that all the promises of simplicity, completeness and general intelligibility which codifiers make of their work always fail grossly when brought to the test of

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* January 29, 1857.

practice. It is notorious that as codification can only succeed under a despotism, codified law is always inimical to public liberty. It is notorious that constitutional law defies codification. These are all the disadvantages, certain, unavoidable and grievous, which the authors of the Penal Code impose upon the community by their love of experimentalizing. No amount of public criticism that may be spent upon it will cure it of those radical defects. Six hundred ponderous tomes of precedents and expositions have already gathered upon the French Criminal Code. With a judiciary constituted like ours, utterly destitute of a professional consensus, (?) commentaries will assume a yet larger bulk, and the simplicity of chapters and sections will melt away before the diverse interpretations of judges and juries having to deal with men and facts instead of with books merely.

It is to be regretted that there should exist no interest in the country powerful enough to oppose with success these harmful projects of theorists and sympathisers with despotism. The conservatism of the higher orders of English society, whether manifested through the writings of Tory proclaims (*sic*) or the stolid opposition of the country gentlemen in Parliament, has saved English society many revolutions. Indian society, on the contrary, moves without a fly-wheel. Its interests are at the mercy of every plausible theorist persevering enough with the notion in his head. The grand danger lies in the dread of English ideas entertained by our most active statesmen. They are all officials, and the English polity does not favour officials at the expense of the community. What else can account for the strange fact of the extension of the English penal law being deemed inexpedient by those who have no hesitation in putting the country under the experimental operation of Mr. Macaulay's legislative wisdom ?

II. THE ANTI-PENAL-CODE MOVEMENT *

The independent Britons in Bengal have again refused to submit to the restraints of the law. They have written to their newspapers, got a petition up, held a public meeting, and threaten-

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* February 19, 1857.

ed to leave the country. But those who recollect the movements made in 1836 and 1849, against the measures then proposed for subjecting British residents in this country to the jurisdiction of the local courts, must find in the circumstances of the present agitation ample reason to hope for the immediate extinction of the most preposterous privilege that ever a class possessed. There is observable decay of earnestness and spirit in the demonstrations which the community of independent Britons have felt bound to make on the present occasion. The class have fewer supporters in the press and among the thinking members of society. Their newspaper articles are flashier and feebler; a ponderous verbosity oppresses the logic of their petition, which wants the racy vigour that Theodore Dickens† knew to impart to the nonsense he talked or wrote; their allusions to Magna Charta and birth-right fall effectless upon the public ear; and finally, they expect no support from Parliament and threaten no appeal to the authority. Whether the country will escape the infliction of a Macaulay Penal Code or not is a matter of doubt, but that the anomalous legal position of British residents in India will be immediately rectified, is a probability verging on certainty. Certainly the ceremonies enacted at the Town Hall on Saturday last will not much affect the consideration or retard the progress of the measure.

The petition of the independent Britons adopted at their meeting of last Saturday, their speeches and the speeches of the professional gentlemen on their side, reproduce without an addition, and with some important omissions, the traditional objections against the subjection of the class to the authority of the law and the Judges of the land. The same change (*sic*) is rung on Magna Charta, birth-right, jury of peers, Civil Service incompetency, native service dishonesty, the temperature of Indian jails, development of the country's resources, and the *malice prepens* of the Bengal Government. But we miss those arguments about the limited powers of the Indian legislature and the impossibility of making by dint of legislative efforts the natives of India equal to Anglo-Saxons, which gave such zeal to the petitions of 1836 and 1849,

† A leading Barrister who took a prominent part in the agitation against the Civil Jurisdiction Bill in 1849.

and added so much to public amusement at the time. The advocates of the measure have, on the other hand, gained in the meanwhile at least one argument the more; they can now bring forward the fact that the number of British residents and the investment of British capital, such as it is, in the interior of the country, have increased since British subjects were placed under the authority of the Civil Courts.

But how stands the case upon the admission of the petitioners themselves, and upon evidence which they would not, even if they could, deny? The larger portion of them are residents of Calcutta who will not be personally affected by the projected egislation. The smaller portion are really adventurers in spirit and in their pursuits. They come amongst a people, weak, submissive, and tolerant of oppression. The courts of justice are not competent to their task. Who, under these circumstances, are likely to be the greatest suffeiers at each other's hands? The enterprising adventurers, or the weak, submissive and uncomplaining natives? Who stands in most need of protection, the Anglo-Saxon or the Bengalee? If then both were placed on the same legal position, under the same advantages of forensic attack and defence, would not the Anglo-Saxon still maintain his superiority of advantages? If again, the Anglo-Saxon has in the chief ministers of the law men sympathising with him in all but his aggressive violence, how infinitely is that superiority heightened? To an unprejudiced mind, it would seem partiality enough to place the Anglo-Saxon in this position. But what shall be said of a legal system that places the Anglo-Saxon and his acts, in this land of weak and submissive natives, virtually beyond all legal control and inquisition?

And as the law at present stands, the European resident in the interior of this country and his acts are virtually beyond legal inquisition and control. Six months ago, we gave, in his own words, the statement of a District Magistrate as regards the impracticability of bringing an offender to justice who can lay the slightest pretention to this privilege of exemption from amenability. The Magistrate was convinced upon the clearest evidence that the man was guiltv of murder. His instruments, native servants, were punished; but the all but convicted felon escaped from trial

because, if arraigned before a court in the country, he might claim to be of British parentage, and if brought to the bar of the Supreme Court he would throw the proof of his amenability to that jurisdiction upon his prosecutors. It is not only because private individuals can not afford to prosecute an offender at the distance of hundreds of miles, it is not only because Supreme Court Judges turn partisans when they try a Europeen offender pursued by a native complainant, it is not only because Calcutta juries are devoid of principle and are the most ignorant of all juries, that the large number of Europeans who on an average commit a felony a year in the moffusil, escape trial. But these causes, added to the obligation cast upon the native prosecutor to prove the European offender's privilege for him, have given to a class, trammelled by few of the social sanctions of good conduct, perfect exemption from all legal control.

Placing Mr. Brown's* speech by the side of the operations of 1856, the most prejudiced Briton must admit the utter groundlessness of the fear that the resources of the country will do aught but benefit by the subjection to law of a class and a race remarkable all over the world for their well developed faculty of acquisitiveness and their powers of aggression. If the consequence of this measure be, as most undoubtedly it will not be, the deliverance of the country from a system of production upheld only by the most outrageous legal protectionist, all but the petitioners will hail with joy the emancipation of three millions of Bengalee farmers and a half a dozen Bengal districts whose industry and resources are now misapplied. But the threatened retreat of the Bengal planters is not more likely to be executed than deadlier purposes announced against the lives of the obnoxious legislators.

The mistake was made when the framers of the India Act of 1833 abolished in absolute terms the restriction previously in force on the residence of Europeans in the interior of this country without providing adequately for the immediate fulfilment of the correlative condition—their submission to the local laws. It was no doubt their intention that the two changes in the legal status

* A. Mr. George Brown moved the first resolution in the Anti-Black-Act meeting of February 16, 1857. The principal part of his speech was directed to showing by a reference to the figures relating to imports and exports that owing to British enterprize India had made astonishing strides in commerce.

of British-born subjects in India should be effected simultaneously, but they relied more upon the firmness and wisdom of the Indian Government than they ought to have done. British adventurers were at once allowed to roam over the country without hinderance or restriction, while the partial measure of subjecting them in civil matters only to the authority of the country courts compromised the strong position previously held by Government and reopened a question which had been settled after the fullest consideration and by the highest authority.

On behalf of the native judicial body, against whom no small a part of the declamation in the petition and the speeches was directed, we have but one word to say. The calumnies sputtered forth against that most estimable and ill-used body of public servants will be believed in when the independent Britons in the Moffussil leave their farms and factories, as they and their advocates swore, when Macaulay's Civil Jurisdiction Act was under discussion, they would, should and must. We will believe those calumnies when the administration of the criminal law, which is now principally in the hands of European officials, is brought to a state of half that efficiency to which civil juisdiction, mainly administered by natives, has attained in the mofussil. We will believe them when the planters cease to clamour for a law of protection for under-tenures. We will believe them when these persons cease to ask for the destruction of the permanent settlement in order that their grand-children may not have to pay high rents for date farms planted by them. We will believe them when it is found easier to cheat a Bengalee peasant of an anna than to deprive him of his life. Finally, we will believe them when a native Hakeem becomes less feared by the rich and the powerful than by the poor and the weak.

III. THE ANTI-PENAL-CODE MEETING*

The independent Britons in this country have been eminently successful in disseminating one gigantic fallacy. They have managed to impress the public with a notion that the right they claim to

* February 26, 1857.

exemption from the control of the mofussil authorities in criminal matters is an old and established one. They represent themselves as a class whose liberties have hitherto all along been preserved entire, and who are now for the first time to be placed under a despotic administration. That the truth of this representation is taken for granted in the face of adverse facts of considerable notoriety is one of those instances of popular error which, though common can seldom be satisfactorily accounted for. No fact in Indian history is better known than that British subjects residing in the interior were, until a recent date, liable at the pleasure of the local Government to be called upon to pack up all they had, their Magna-Charta and birth-rights included, and to depart the country—certainly not for their own good. Substantially this control was exercised by the district officers whose reports formed the basis of the proceedings of the Governments. This was a form of control which the best informed Indian statesman of the day will not dare to exercise; Englishmen who best knew their own countrymen, considered it absolutely necessary to the protection of the natives of the country from oppression and spoliation. It was, we admit, almost, a barbarous mode of civil control, but it seemed to be the only effectual mode of dealing with the class of adventurers who now clamour for exemption from the control of all law.

The British-born residents in the interior of India seem to have forgotten these incidents of their past legal position. They have forgotten that when the East India Company was more purely an Asiatic power than it is now, it manifested an Asiatic contempt for those rights which are now so fluently discanted upon. They forget that with this Asiatic contempt of theoretical rights the East India Company's government joined a more than European energy in the enforcement of its policy and its powers. Did the British-born residents in India remember these, they would not have talked at least of the inalienability of their rights.

We have already pointed out that when, this effectual mode of control was abrogated by the authority of Parliament, it was resolved that British subjects in the moffusil should be placed under the more constitutional form of control exercised by the regular courts of justice. That this resolution was not carried into effect simultaneously with the repeal of the harsher coercion law to which

the class was previously subject was owing to an almost technical reason. The authority of Parliament was necessary to the repeal of that law, while the local legislature was the proper authority for enacting the milder law which was contemplated for them. The local legislature but partially performed its duty by subjecting British-born subjects to the authority of the civil courts. The weakness which forms an essential part of an authority that delights in affecting despotism has prevented the Indian legislature from completely carrying out the intents of the supreme legislature.

IV THE BLACK ACTS*

We have received from a valued correspondent a communication on the subject of the proposed law for extending the jurisdiction of the Mofussil Courts over British subjects. The paper which we quote below enters into the matter, as our readers will observe, in a manner altogether different from that of the promoters of the opposition meeting and petitions. It addresses itself to the practical questions at issue, and discusses them on grounds of real expediency. Our correspondent begins with saying:

"I consider it to be no grievance to the native community, that an Englishman charged with crime in the mofussil should have privilege of trial, by a court, modelled after those of his own country, and the peculiar constitution of which is, proverbially, his most valued birth-right—which trial moreover would have been his common right (not a privilege) had the offence been charged in Calcutta, in as much as Calcutta is an English settlement and under English law, the exceptions (if any) being native privileges."

The grievance to the native community consists, firstly, in the circumstances of the British-born considering the native not to be his equal in the eye of the law—or why should he object to be tried by a jury of natives; secondly, in the statutory superiority implied in his subjection solely to the jurisdiction of a court of peculiarly high pretentions, and thirdly in the almost complete exemption of British-born offenders in the mofussil from respon-

* March 5, 1857.

sibility to the law, which is the practical result of the present state of things. Our correspondent himself partially admits the validity of these matters of complaint.

"As a constitutional and general question, however, I do not deny that it is an anomaly and a defect that courts held good enough for one class of subjects should be admitted to be unequal to the claims of another class. All are equal before the law. The anomaly, however, has an historical and practical justification, or a vast apology."

"The East India Company's system has hitherto made no provision for 'Court of justice' in the English exalted and somewhat utopian sense of the term, whilst the Courts actually given are a vast improvement upon their predecessors under the native (at least Moslem) sovereignties. I have not read (or perhaps do not recollect) the debates upon the Act of 1773 under which the Supreme Court was established—but it could scarcely have been worth while of the representatives of the Company in Parliament or of the champions of Her Majesty's dusky eastern subjects in the opposition there, to resist what was then almost an immaterial concession, *viz.* the extra territorial sway of Her Majesty's court on behalf of the British-born—indeed it might well have been supposed that the Queen's judges were alone competent or bold enough to deal justice on the British—aggressor. It was a resolution of the difficulty *quis custodiet ipsos custodes?* And the privilege (whether intended as one or not) once established, it has been doubly difficult to repeal it—the more so, as the incompetency of the Company's judicial system has become more apparent and more generally admitted."

"British-born settlers are more rife in the interior; they elbow the aborigines at every turn and on every occasion. The anomaly is now felt, but how? I scarcely believe that the native of any grade really grudges his European brother his national tribunal; but it is a real grievance that the native prosecutor and his witnesses should have to travel to the presidency to furnish that luxury. Here is the pinch and real grievance; and I have no doubt many an offending Briton gets scot-free of richly merited punishment because of this."

The practical difficulty referred to by our correspondent would

not have existed if the Government here had done its duty. When the administration of the criminal courts was in the hands of the Nizamut Officers, when Mahomed Reza Khan was the Chief Justice of Bengal, it was, we admit, expedient that the few independent British subjects then residing in the interior should, in common with the far more numerous British-born servants of the East India Company, be subjected to the court established principally for restraining the excesses of the latter. But besides the regular penal jurisdiction of the Supreme Court, the British subjects, those in the service, as well as those not in the service of Company, were subject to the more summary jurisdiction of the local Government which could, at its pleasure, deport any of them from the country. This state of things lasted up to 1833. Up to that date, the legal condition of British subjects was, it must be admitted, far inferior to that of natives. How easy it would have been then to have placed the British-born upon the same footing with natives of the soil in respect of amenability to the local courts. The change would have been hailed as a boon by the former. The ministry in England arranged for this change. The Indian minister of the day announced this proposal formally to the House of Commons. One part of change—the withdrawal of the power of the local Governments to deport British-born subjects at their pleasure—was effected by Parliament. For the completion of the change, by making British-born subjects amenable to the local courts, instructions were sent to the local Government. The local Government disobeyed the ministry, and created the difficulty to which our correspondent refers. The exemption of the British-born from the jurisdiction (summary or arbitrary) of the mofussil authorities is only of twenty-four years' standing, and cannot justly, we submit, be accounted a historical justification of the present state of the law.

Our correspondent continues :—

"It seems to me that in late discussions both Europeans and Natives have erred. The former should have made but one request, *viz*, that English judge and jury courts be established at not inconvenient distances throughout the mofussil, either by circuit or stationary judges, to continue the not unreasonable and time-honoured privilege of British-born Indian subjects of the crown,

till the ordinary courts be confessedly on a par (at least in kind if not degree) with any that might be established as the Englishman's privilege. I moreover think it no outrageous demand (although I would not personally make it) that a criminal tribunal for trial of Christians be composed of Christians. This you say, is a Christian prejudice. I will neither deny nor extenuate it. It is one which a Christian Government can very hardly gainsay and perhaps never overcome."

There are two serious objections to the course pointed out by our correspondent for the British-born. 1st. If Christians are to be tried by courts composed exclusively of Christian judges and countrymen, why should not non-Christian criminals claim to be tried by judges and jurors exclusively of their own persuasion? It is a fact, which we advance with the utmost confidence upon our own responsibility, that the vast majority of the inhabitants of this country, the Hindoos, are less actuated by what has been called the antagonism of race than any other nation on the face of the earth. Hindu judges and juries would give a fairer trial to a British-born offender than any British judge and jury would give a Hindoo offender. 2ndly considering the territorial extent of British India, the provision of a distinct set of courts for the trial of a numerically small class would be, to say the least, an intolerable financial burden upon the country.

"The native discussions (as I have heard or seen them) of late, upon the anti-Black Act movement, as it is called, seem to me to have erred in this: they dealt too much in indignation and too little in proof or argument. Some generous minds or at least unimpassioned Hindoos have, I heard say,—we wish not to drag our British fellow subjects into the mire of the Mofussil courts because we cannot escape from it ourselves!—But the generality, and you, I think among the foremost, exclaim loudly against the principle of the Hindoo and Englishman living in any ways distinguished. You ask for uniformity not from any practical evil that the want of it creates, but its necessity in theory, as an abstract question of national justice. I much doubt whether this view will really meet with the sympathy of the disinterested or the wise. It is not practical, it is not reasonable, it is not generous—it is wholly uncalled for. It is a mere ebullition of wrath, not unprovoken I grant. But

I verily believe, the natives would much better serve their real interests, obtain a much wider sympathy among their truest friends, and among those too who can help them most, if they give up, as they can well afford to do, all resentment and heated or hasty words contained in speeches or petitions (the very heat and recklessness of which must render them obnoxious), and confine themselves to the one object of improving the courts and the judicature. Let them not interfere with the Englishman's boasted privilege in the mean time—so that it be accorded or continued in some such shape as I have suggested.

"As an Englishman, I will not join or encourage native clamour to trample on long enjoyed and practically innocuous privileges of my class—any more than I have united or will unite with those of my countrymen who insist upon 'antagonism of race,' inherent native inferiority or native corruption, or the panacea of a barrister of 5 years standing. My countrymen have, I think, blundered in their mode of proceeding, I hope to see the natives act more wisely."

We confess guilty to a great deal of what is animadverted upon in the fore-going remarks. We have not argued with the speech-makers or the petitioners (perhaps because argument has no function in such a dispute) and if any thing in the shape of "proof or argument" has been advanced by us, it is not in refutation of the speeches or the petitions, but to expose to the public the weakness and partiality of the local legislature. Nor do we seek to justify our partisanship by citing the example of the British-born and their advocates, or by pointing to the comparative magnitude of the interest we assume to represent—an interest so great that partisanship in its cause loses its objectionable character and wears the appearance of national sentiment. But let our correspondent weigh again the provocation under which the native critics of the anti-Black Act movement discuss the question,—let him consider that the exemption of British subjects from the control of the local law, itself a great injury, is attempted to be maintained by means the principal of which is the abuse in unmeasured terms of the natives. If insult added to injury is not to be rebutted with "indignation," we confess, we have offended, sorely and deeply.

V. THE BLACK ACTS *

The debates in council on the second reading of the Criminal Procedure Bill† points to the sort of compromise sought to be effected on behalf of the British-born subjects resident in India who object to be brought under the jurisdiction of the Mofussil Criminal Courts. It is proposed that they be tried in criminal cases before the Sessions Judge only for all offences meriting imprisonment and higher penalties. It may also be probably insisted upon that they should be tried by a jury of their own countrymen. The British-born themselves, in their petition to the local legislature, do not ask for a great deal more, and would evidently be content with what Sir Arthur Buller‡ and those who think with the *Friend of India* would offer them. We protest against this compromise—this is worse than a half measure.

We don't insist upon the abstract theory of equality before the law, far less upon that of equality in a more general sense. It is simply impossible for a Hindu to realize the idea of his equality with any other race on the face of the earth. Neither conquest, nor oppression, nor a sense of physical inferiority in certain respects, nor poll-taxes, nor exclusion from political power has taught us that what we insist upon is this. The Anglo-Saxons are so constituted, morally and physically, as to require a larger measure of legal coercion to restrain them from injuring their neighbour than a member of any other race. The strength of body and of will, of which they are so proud, ministers to a love of wealth approaching to a phrensy. In their native land, strong bars and multiplied bolts and devices of extreme ingenuity and a police bearing an appreciable percentage to the population and an administration of the law which leaves the unpropertied entirely at the mercy of the propertied classes, scarcely suffice to give to the private household the security achieved in most Asiatic soils. If laws and courts of justice were made to protect the weak

* March 26, 1857.

† The Bill proposed to make Europeans subject to the jurisdiction of the mofussil Criminal Courts, and the European community insisted upon the right of trial in every case by the Supreme Court. In a long speech on the second reading of the Bill, Sir A. Buller proposed the middle course here referred to.

‡ A Judge of the Supreme Court and a member of the Supreme Legislative Council at the time.

against the strong, those who pride themselves on their strength should not be left utterly without restraint. If those whose very nature is aggressive are to be left unchecked in a country like this, serious doubts arise as to the necessity of the complicated machinery of legislation and judicature which encumbers the state. It was not the nature of India, but English statesmen of the highest reputation, who conscientiously opposed the admission of Europeans to settle in the country. Is the Anglo-Saxon so changed in character within the last quarter of a century that the law may now safely assure him a larger measure of immunity than his Indian neighbour can lay claim to? And this comparative impunity given to a class who from nature and education require to be more severely watched than others constitutes the inequality of which we complain. No theoretical ideas of equality, but hard practical considerations of expediency, condemn such a state of law.

Nor will the subjecting of British-born men resident in the Mofussil to the jurisdiction of the Sessions Courts be a material improvement upon the present state of things. The prosecution of an Englishman will still be a more expensive proceeding than the prosecution of a native. The moral influence of the Magistracy will still be less over the Englishman than over the native. The local administration of justice in all its branches will still be left to bear the slur upon it that the exemption of Englishmen from the ordinary jurisdiction of the courts implies. The law will still want that respect which Englishmen forget immediately after they transport themselves or are transported from their native shores Sir Arthur Buller does not see these evils. Acute and sagacious as he is, he must have a great deal (?) before he can legislate successfully on a question like this.

The claim to be tried by a jury of their own countrymen preferred on behalf of the British-born sojourners in this country is a preposterous one. It is utterly inadmissible. They form a class, a distinct well-marked class. They form no part of the fixed population of the country. They have hardly a lot or part in the great social interests the conservation of which constitutes the necessity of civil administration. They would every one of them positively benefit by a state of things which would secure them impunity from the consequences of their acts at the expense of

any other interest in the country. If landed or funded property become to-morrow worth only a half of what it now is, they would scarcely be losers. If their liability to be punished for offences were, on the other hand, equalized with that of natives, their means of gain as well as the range of their personal privileges would be seriously curtailed. Can an English jury, then, in mofussil India be trusted with the adjudication of offences committed by Englishmen against the persons or the property of natives?

The *Englishman* has the modest assurance to write,—"we do not hesitate to say that all classes of Her Majesty's subjects should in criminal matters be amenable to the same tribunals!" Not hesitate! why the paper has been affirming precisely the contrary for years! so have the whole of his party. Why was the Act that was to render them amenable Black? But, as we have said, they have been driven from their position; they have seen all the intelligence and honesty of India and England against them; and now they affect not to ask continued exemption, but only that the courts shall be a little better adapted to their rigid notions of right and wrong in the administration of the law; they ask that they may not be shocked, and their fine Saxon feelings should not be outraged by courts "where perjury and corruption hold carnival," where "every species of abomination is practised, and where decisions are purchased as goods in a market"—where in fact they have been—very contentedly carrying on their prosecutions and their suits and getting judgments and decisions—how? They have answered the question themselves. The *Englishman* invites them to come forward and bear testimony to the infamy of the courts, but this is too much! no one should be called upon to convict himself. If the courts are bad it is not the Government that has made them so nor the officers presiding, nor any of their subordinates, but the parties who have used them; those independent Saxons, among the number, who have got so many judgments and decisions by perjury and bribery,—because, according to the Planters and their prints, they are not to be obtained any other way.

We hardly remember a case in which there has been so much misrepresentation, indeed such a reckless disregard of truth, as in this Black Act discussion. Because the courts are less perfect than they might be, the entire people are denounced as by nature base

and untrustworthy, never to be trusted as agents in the Government of the country! We will not submit to this without retaliation. We say it is a reckless falsehood; the language is strong, but not more so than the occasion warrants. We will take the last 25 years and challenge a comparison, Native against European integrity, as far as it can be tested by known facts; it may be among public officers, lawyers, merchants or tradesmen to us it is indifferent; and if it were against us, there could be little to boast of as respects public officers, for while their salaries have been raised for the express purpose of keeping them honest, the native has been limited to the smallest possible allowances—perhaps to see if he could be as corrupt as—underpaid Europeans. But such attacks as we have indignantly repudiated are not made by men of any position or authority. All such have given the lie to our calumniators. It makes a paragraph to ask who they are? and where their opinions are to be found? But only one excessively ignorant of India could ask the question, except for the base but futile purpose of insinuating the alleged fact to be untrue. We can go back half a century for authorities, and they have been continuous and consistent. Five and twenty years ago Parliament digested the evidence it had received and declared that,—"the natives ought to be declared eligible to fulfil and execute all civil offices, judicial, financial and territorial"—and if Parliament thought this in 1831, is England very likely to take another view in 1857, because a professional advocate is pleased to declare in the Town Hall "that the native officials, presiding in the courts of the East India Company, were reputed for no good qualities and competent to the discharge of no judicial duties," or because a scribe, who possibly writes for his dinner, reproduces and recirculates the stupid slander? The same high authority takes up the *Hurkara's* crotclut that the Town Hall speeches were written for the several speakers; or rather he makes the statement on his own account, for he was "informed of the fact, and not only that but who the gentlemen were who prepared the orations." We certainly do not believe the informer, or, for the matter of that, that there was any such informer, but we are ready to admit that the great superiority of the speeches to the manufactures of the Supreme Court and Planters' Association almost invited the suspicion.

VI. THE NATIVE MEETING IN THE TOWN HALL*

The Meeting at the Town Hall on Monday afternoon was attended by a very large number of persons, representing the wealth, rank, and intelligence of the native community. The Raja Radacant Deb would no doubt have been voted into the chair, but he sent a letter stating his inability to attend, and at the same time his cordial sympathy with his native friends. The Raja Kalikrishna presided, over a meeting that was as superior to that of the British-born residents in argumentative and eloquent discussion as it was numerically. The names of the speakers will be found elsewhere. Ray Kissory Chand Mitter particularly distinguished himself in a well reasoned and very fluent speech, utterly free from the vulgar claptraps lately cheered to the echo in the same hall. It would have been better had this meeting taken place before, but certainly better late than never. Nothing was wanting to strengthen the hands of the Government: the Bill was safe in its most important point from the hour it was published, but it is quite as well that we have recorded thus publicly our sense of the justice—tardy though it be—of our rulers.

If any one desires to have some special reasons for our stirring in this matter, for which we have been taken to task, let him peruse the speech of Babu Rama Nath Tagore. We have asked for instances of that judicial incompetence and corruption which, it is alleged, incapaciate the Native for the bench, but we have asked in vain. We present Messrs Peterson and Doyne with examples enough of the result of European exemption from our courts. They will—or may deny them, but denials go for nothing; They can not disprove them, we could have wished that some one of the speakers had flung in the face of these learned advocates the worst picture that has ever been drawn of the courts of the country, and told them that, for every inequity disclosed, their clients, the Indigo planters and other British residents in the Mofussil—aye and their business friends in Calcutta—were directly responsible; had told them that every one of these adventurers and settlers was *particeps criminis* and ought no more to be heard in support of continued exemption than a man who had shared in the plunder should be

* April 9, 1857.

admitted a witness to disprove the robbery. If the courts are flagitiously corruption against their unfortunate and less powerful native competitors (*sic*) and if incompetent, they have taken judgment from incompetency to the ruin of their property and the destruction of their liberty. They should have been told that whatever exceptions there may be—the rule with these adventurers is to boast of carrying their point in these corrupt and incompetent courts by "fighting their opponents with their own weapons:" in other words, their case is that perjury, and subordination of perjury, and bribery are the means by which they have held their own,—and got a good deal more than their own. What could they do, poor fellows!—a handful of honest men against a district of scoundrels! Do, British settlers! Why have been adventurers to some little extent at least in the cause of truth, and justice, and humanity, have set your boasted intelligence and strong English wills against our bad courts and demanded their reform (*sic*). But no!—surrounded by courts too base for the British-born to appear in except as prosecutor, you have by your silent acquiescence fostered and encouraged and thus helped to perpetuate—the courts you now denounce, and denounce only because a tardy justice at last declares you shall yourselves be judged at their bar! In your resistence to a just law there is nothing noble, or elevated, or English. None of your advocates have given utterance to a single sentiment worthy the humblest son of a great country. All has been cold, hard, calculating, and selfish. Yes, self and self alone reigns throughout your petitions and your speeches. The right of an intelligent, submissive, and industrious people to good courts and common protection is nowhere affirmed. The trumpeting is always of Englishmen and their rights; and if free-born Britons are to be subjected to our courts, then let them first be made what halls of justice should be. Only then will it be necessary. Let you but remains free of them and our courts may remain what they are,—what you have willingly allowed them to remain up to this day! Let us declare, that however bad the worst may ever have been, there can have been nothing so revolting about it as the scandalous law of exemption, which—Heaven be praised!—is about to be swept away.

Mr. G. Thomson spent some time in repudiating and ridiculing

the idea that there existed, as has been alleged, an ineradicable hatred in the heart of the natives of this country to the Saxon blood, which alone disqualified us for the judicial seat. He said that the fair children in charge of bearers and ayahs on the maidan, and the servants in all the houses of Europeans in Calcutta contradicted the absurdity. He might much better have said that if the allegation were true, there is nothing to prevent the natives of Bengal alone joining arm-in-arm and walking with their conquerors into sea ! The strength of Great Britain in India is not in her insignificantly small military force, or in the valour of her Christian children—Indigo-Planters and Biddles(?) included—but in the affection of the people, and a lively sense that England has been, is and will continue to be, their best benefactor.

The *Hurkaru*, we observe, repeats its charge of "bad taste" against the native community for presuming to make itself heard on this interesting occasion, but we now find it admitted that the point for which they contend is one which no person of any sense can be found to deny ! A pretty commentary on the Indigo Planter's Association and its Town Hall meeting ! Is this an advocacy which is likely to be appreciated ? We think the proprietor would have done well to have paused before he allowed its colors, untouched in this contest, to be torn from the mast to be penitentially replaced by such a rag ?

VII. THE NATIVE MEETING AT THE TOWN HALL*

The *Hurkaru* finds the speeches delivered at the Town Hall at the native meeting on the 6th instant so good that he hints they were written for the speakers. It is a pity the editor does not give us the same grounds for supposing his editorials the work of somebody else. The *Englishman* and *Phœnix* could not find room for them, but to save something of appearances, supplied an abridgment. We believe there cannot be two opinions as to the merits of the relative displays between our English and native orators in respect of this discussion. We have heard very competent authorities declare that our native friends spoke English, and that

* April 16, 1857.

several of the free-born did not ; but one thing is certain, that from beginning to end of the orations of the former there is not one instance of clap-trap, which is the staple of those of the latter.

The pretence of birth-right exemption is abandoned : we hear no more of it, and it is rather amusing than otherwise to note the gentle sliding of our opponents into a more tenable position, that our courts need reform ! This is what the Planters, and their friends are now summoned to proclaim but this is a very different thing from what the Dickens of old, and the men upon whom his British mantle have fallen put themselves forward to fight for. We have beaten them out of the field, and if they please to return to help us in the good fight of reform, and better courts for all classes, we shall be glad to take them for what they are worth.

But we are not disposed to shirk an iota of the truth in their favour ; we do not think their advocacy will be worth much for any reforms. The disposition to improve the entire civil establishment of the country has been already made patent ; the civil service has been thrown open ; the uncovenanted are gradually being brought into fairer play ; a Criminal Code has been matured ; and the reduction of too expensive establishments have been taken in hand. If indigo planters and other settlers in the interior are content to hail these reforms with acclamation, well and good,—only we are not to be humbugged into the belief that they have ever cared for them. With the single exception of the abolition of Haileybury, we do not know that even English Press in India can claim to take credit for any part in these reforms. We owe them all to our well-abused Government. When the Code was first-framed —and that was in our boyhood—the Government was far in advance of the Anglo-Indian mind just as it now is in advance of our "country gentlemen" in the matter of the jurisdiction of our Criminal Courts. It is probable that they really believed in their birth-right title to exemption—for there is nothing too absurd for the mob—and that they have very stolidly considered themselves safe from the possibility of such a law as is now impending. The way the Government has evaded the subject for years has no doubt strengthened them in their delusion. That they have ever desired courts after the fashion of the boasted ones of their own country, of course we don't believe ; for such courts would upset their

arrangements and put an end to planting on the present system in a very short time, and that the planters know full well. They know that indigo is a forced cultivation, that the ryots under the advance system are their born thralls. If all accounts could be closed and the ryot left free to cultivate what crops he pleased, it is doubtful whether Bengal would produce more than two-fifths of her present supply. It does not require any agreement to prove that if we had competent courts, and enough of them, the planter's cutchery would be speedily closed; there would be no fining and imprisonment by those gentry then; fining which at present is pretty extensively carried on for the benefit of "concern," as well as for the settlement of disputes and punishment of wrong doers. We should not have untrained, self-nominated gentlemen held up (perhaps while under heavy sureties to keep the peace) as model magistrates! The law and its legitimate officers would put them back into their proper place and keep them there. The Planter's Association knows this right well. It has heard its members say a score of times (though such things are not repeated in the proceedings) that if ever they are really subjected to the local courts, indigo planting by Europeans will be next to an impossibility. This is what they really mean when they talk of shutting up shop and removing their capital, and intelligence, and enterprize, elsewhere. Mr. Theobold has gone home to fight their battles, and it is said he objects to having courts scattered about the country presided over by English lawyers. He had rather things were left alone than that, for such courts would be the masters of his clients, and the protector of those who are at present their helpless slaves.

WHAT HAVE THE BLACK ACT AGITATION LED TO?

One grave omission was made in our review of 1857. A fact that may one day arrive at historical significance was not alloted its due importance. The results of the Black Act agitation of last year demanded more distinct recognition than we give it. Indeed

*Jan. 14, 1858.

that agitation ushered in an era in the social history of British India. The amicable relations which subsisted between the non-official native and "adventurer" European since they came together have ceased with the struggle for non-exemption. The courteous bow, the graceful *Salam*, the—notwithstanding the *Dacca News*—not unimpressive shaking of hands, and the smile of recognition—all which go far to form the life, age, and the property too, of social itercourse are now unhappily but rarely exchanged between the "Baboo" and the "Shahib." Necessity cannot be contended with, and so business must be done. But business, always dry, is now conducted between men of the antagonistic factions with a coldness highly repulsive to the benevolent observer of the species; and toil at times relieved by conversation, which, never cordial, now occasionally verges to the extent of being superseded by—blows. The scenes at railway carriages, flower exhibitions, the Botanical Gardens, the Strand—in short in all public places where independent Britons and educated natives meet together, are marked sometimes by more than American brutality and border ruffianism. Of course we do not mean to *simply* that prior to the Town Hall meetings of last year our countrymen and their Western visitors stood with each other on terms as satisfactory, as Howard and Wilberforces, from good will towards mankind, and Manchester politicians, from speculations of commercial prosperity, would desire.

Nevertheless a century and more of residence in the country had forced a few grains of knowledge of native character into the minds of reluctant European. He had begun to see that the Hindu was not a monster, that if he had no conception of the light of the Gospel, he possessed a religion which, whatever Dr. Buist and imaginative editors like him may say to the contrary could and did make men as moral as even Christianity promised to do; that fallen as he had been he could, under the fostering care of parental rulers, yet retrieve the degradation of centuries, and even arrive at political existence. A better day for us was evidently at hand. As such feelings prevailed among all classes of the European community we naturally looked forward to a bright future, when, united with them, we should strive in the path of progress, and when they should not treat us with contempt for our colour.

Never did we dream, and little were we prepared for, the sad reaction that was in store for us, and has since followed.

Early in the beginning of 1857, a bill was introduced in the Legislative Council to legalise an Act framed by more than Indian wisdom, and after more than Indian deliberation. The Act miscalled the Black Act, has been felt a necessity by both government and people, since Meer Kossim's quarrel with the council of Calcutta. It however interfered with the supposed rights to impunity of those denominated by various men in different spirits, the "independent" Britons in India. Accordingly on the fourteenth day of February they held a meeting in which language not particularly guarded was used towards the natives. Hence dates the rise of that bad feeling between Young Bengal and the placeless European which at last merged into savage hostility towards each other. In that meeting every thing native was denounced in terms with an earnestness that would be sublime were they not ridiculous. Native judges were accused of corruption, native palkee-bearers were known to be refractory, even native ayahs were suspected of poisoning European babies, and the "antogonism of race" which authors in the upper shelves have declared as subsisting between nations was pompously brought forward to answer and perpetuate the political and civil disabilities of young Bengal. The Natives soon after met in the same Hall and returned the abuse. Unfortuately the speeches happened to be better than those the gentlemen of the bar uttered at the planters' meeting. And a speech of Babu Rajendralal Mitter, from its poignant truths, literally exasperated the exemptionists." Hereupon Mr. Lazarus and Dr. Hallear turned politicians. Dr. Mouat,* with an understanding whose flights have been wisely restricted by Government within the jails, headed a majority of photographers who expelled the Babu from their society. The decisions of Bengalee judges now began invariably to be found fault with, and the mock-heroic Billingsgate of that prince of political and literary impostors, Thomas Babington Macaulay, against the natives of a country whose chief guilt seems to have been to have given him a fortune, was reproduced over and over in the newspapers. History, humanity, the law of progress, ethnology and the

* Dr. F. J. Mouat Inspector-General of Prisons at the time.

Bible were forgotten in the selfish and sweeping condemnation of the one hundred and fifty millions living between the Indus and the Brahmapu'tra, the Himalaya and the ocean.

In the mean time the unfortunate mutinies in the Bengal army occurred, accompanied by some acts of fearful attrocity which were instantly amplified into the capital of dreamy writers of the type of De Quincy. Indeed the rebellion was a god-send to them. The Anti-Black-Actists its were not slow to take advantage of these, and in a moment of Hindu humiliation endeavoured to create for themselves a political superiority. From this desire alone sprung up, the institution of the Volunteer Guards. Having succeeded—what wonder they should?—in producing a panic in Calcutta, these believers in race antagonism went and offered their services ostensibly for the defence of the city, but really for the repression and coercion of native freedom. The Government at first refused their request and then in a moment of listless impatience yielded to the clamour. And capitally did these brave warriors protect the city in so much that they were well nigh successful in getting up a riot and out-break here, when the legislature interfered and curbed their power. They afterwards formed themselves into the Indian Reform League, with the object, people say, of compelling Viscount Canning to resign the government into their own hands, though ostensibly for the purpose of having him recalled and securing many things. Be that as it may, they are at the present moment running amuck of everything native, and have entered into a regular crusade against the Hindu race.

It would seem that all this is owing to the rebellion, and to the feelings of Englishmen so naturally outraged at the tragedies enacted at Delhi, Jhansie, Cawnpur and other places. Not a bit. We at least know it for a certainty that the inhuman tortures and original modes of killing are as much the creation of diseased imaginations as the work dehumanised passion; that most of the accounts of impracticable crimes so industriously circulated by means of lithographic impressions, were manufactured either in the Calcutta newspaper offices, counting houses, or Mofussil factories. People in England are beginning to perceive the extent to which they have been imposed upon. They will erelong know that the horrors which have shamed Dante are myths, that the stories which

have thrown into the shade even the "Inferno" are but the light literature of a class of publications (*sic*) in India who, mean in intellect and brutal in heart, without even the recommendation of numbers—aspire yet for the government of an empire they have accidentally made the field for speculators.

OUR LEGISLATOR-JUDGES

The English constitution debars by a rigid rule the great Judges of the land from sitting in the House of Commons. The wholesomeness of this rule finds apt illustration in the conduct of the two Supreme Court Judges who have places in the Legislative Council of India. Political Judges are scarcely less dangerous than corrupt Judges. The impartiality of the latter it is possible to secure, the former in whole classes are utterly incapable of being impartial. It is true that in most colonial legislatures the head of the administration of the law is an important member, but it is equally true that the standard of judicial morality in the colonies is not very high. The heat and turmoils of political conflict are subversive of that equable frame of mind which alone can deal out justice. In a community so diversified as the one over which the Supreme Court wields jurisdiction, the danger of living under political judges is specially great. Hatred divides class from class; adverse interests collide with each other; jealousy and distrust pervade society. Over such a community the Judge must hold the scales with scrupulous regard to the claims of each individual, each sect, each class, each order. Now such scruples hardly weigh with those who have to mingle in acrimonious debates over questions involving party interests and on some of which even judges can not be dispassionate. We account it a most ill-judged measure that gave us for legislators two Judges of the Calcutta Supreme Court.

So long as the new Legislative Council had nothing to do but to establish itself, the evil we have noted did not appear. The rebellion followed, and all secondary evils were covered by that gigantic evil. Law after law of the most unconstitutional and arbitrary kind was passed with the fullest concurrence of our judge-legislators. Not a voice was uttered by them to stem the current of coercive legislation. The rebellion quelled, the race-

hatred it engendered came into full play. The judge-legislators sharing full in that feeling, lost their balance. The Chief Justice avowed the change wrought in his opinions by the mutinies. What was wholesome and necessary law before was no longer so even in provinces untouched by the rebellion. What were evils and grievances before were transformed into blessings, to be conserved with jealous care. The Chief Justice,* when a member of the Executive Council, and before the mutinies began, had adopted the clause which abrogated the exemption of British subjects from the jurisdiction of the Mofussil Penal Courts, and had, in fact, penned with his own hand the very words which abrogated that odious distinction. The Chief Justice now moves for the omission of the clause, and when twitted with the inconsistency, pleads, in evident ill-humour, the mutinies.

Another Judge, Sir Charles Jackson, comes out stronger still. Hitherto he was known but as a mediocre lawyer, quite harmless and even useful, in his sphere in the Supreme Court. The raging contagion catches him, and he bursts forth after the following strain. The occasion was the second reading of the Arms Act:

It puts Europeans and natives on one footing. This must not be. He could barely repress his indignation at the cant of equality in India, between the men of Britain and the races of Hindoostan. Even those who propagate this sentiment do not believe it. They can not be thinking of what they say. It is feeling without reason and common sense. By all means let the natives be paternally treated; always kindly and justly. But let there be no more talk of a man's shrinking from drawing invidious distinctions between Europeans and natives. The natives, why were they not sharing in the deliberations of this house? Why were they not filling important offices under Government? Simply because of their unfitness: not because any man willingly thrust them out, or kept them out. One damning fact was that we could not trust them: trust them even with arms wherewith to defend themselves and their families. Government could not trust them. Arms for self-defence should be left only in the hands of British here, because the men of English blood in this country formed a small and dominant class,

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* Sir James Colville.

and while they held rule here no other class was in danger from the use of arms. The power of defending himself is only needed by the man who is in danger, whether from treachery or over numbers. He must repeat that it was a miserable shame to talk of treating Europeans and natives alike.

The quotation itself need not be argued here on its merits. But look at the animus of the language. A judge of the Supreme Court is precisely in the position in which the danger of having arms in the hands of Europeans is daily and most strongly brought to the notice of the observer. He utterly ignores that danger. He remembers the mutinies and their incidents, and them alone. He is incapable of realizing the first principle of the noble science he is a sworn votary of. All may be equal in the eye of the law, but they are not equal in the eyes of this administrator of the law.

The Supreme Courts were established for the purpose of protecting the natives of this ill-fated country from the oppression and violence of Europeans. Its position now is that of a protector of all European offenders against native rights. The Judges feel themselves under the obligation to stand forth as the special protecors of the European community against the urgencies of native rights. This feeling, dangerous enough on the bench as derived from the conflict of jurisdictions, becomes tremendously so when intensified by the conflicts of political debate.

THE NON-EXEMPTION LAW

The case of Queen *vs*, Jackson, tried by the Supreme Court on Saturday before the last affords a splendid illustration of the evils of the inequality of law and the necessity of the introduction of the so-called Black-Act. An extraordinary Sessions was held to try in consequence of a petition presented by the prosecutor.

The case was one of stealing a few pieces of wearing apparel, but it was sent up by the Magistrate of Rangoon because the prisoner was a British-born subject, and as such had an inalienable and indefeasible right to be brought across a thousand miles of sea to be tried by the Supreme Court and a jury of his countrymen. But we perceive that the Grand Jury that returned true bill against him consisted of ten native and eleven European gentlemen,

and the Petty Jury we understand comprised several natives. Thus, in point of fact, British-born subjects like others are tried by natives as well as Europeans. A contemporary who is generally considered as the organ of the exemptionists admits the hardship and expense of forwarding the parties and witnesses from Rangoon but argues that the Magistrate ought to have dismissed the case as it appeared there that the evidence was conflicting. No such thing. To say that the case before the Magistrate was not supported by evidence is to mistake it. There was on the contrary a strong case made out against the prisoner before the magistrate, and it was clearly the duty of that functionary to commit him to the Sessions. That the witnesses broke down at the Supreme Court was no fault of the Magistrate. It could not have been anticipated by him. But the article of the *Englishman* to which we are alluding implies his condemnation of the present inequality of law in as much as it admits the inconvenience and hardship to which the parties have been subjected in the case under notice. It is something to get our contemporary to make that admission, and we hope and trust that he will in good time see the error of his ways. It is impossible for an unprejudiced mind to resist the conviction that the present exemption of British-born subjects from the jurisdiction of ordinary criminal courts in the mofussil is not only unjust in principle but oppressive in practice. Such exemption has no constitutional sanction, and is based on principle of justice or sound policy. It has never been recognized by the Legislature of Great Britain. The renewal of the Charter in 1883 first brought the subject under the consideration of Parliament, and then the presentation of the memorial of the British subjects for the repeal of the Act II of 1836 rendering them amenable to to the jurisdiction of the civil courts in the Mofussil gave rise to a most searching inquiry and an exhaustive discussion on it. On both these memorable occasions Parliament indignantly repudiated the doctrine that it was the privilege of Englishmen to carry their law with them wherever they went, and it came to the solemn decision that there was not one law for one man and another for the other. At the great Non-Exemption meeting held in the Town Hall on the 6th April 1857, Roy Kissory Chand Mitter after giving a historical sketch of the measure, said, "I further maintain,

and my opinion is supported by ten years' experience, that the exemption of British subjects from the Mofussil criminal courts operate most prejudicially on the interests of the great mass of the natives and is in fact a gross and grievous wrong to them. It is tantamount to irresponsibility to law and impunity to crime on the part of the privileged few, and to a denial of justice to the subject many. Will any man tell me that the natives are under the same protection as the British subject so long as the latter are amenable to another law and are triable by the Supreme Court only."

We entirely agree with the speaker, and believe it high time that the princlple of equality of law were affirmed by the legislature. It may be stated by the Reform Council Leaguers and the Indigo Planters' Association that the mutinies must change the policy of Government and are a sufficient reason for the perpetuation of the privilege of exemption. But we see in the mutinies additional and strong reason for the operation and impartial application of the principle of the proposed Non-Exemption law. Already the importation of large numbers of European soldiers has occasioned the perpetration of many insults, outrages and other injuries on unoffending natives. This will occur in still greater numbers and aggravation as Europeans multiply throughout the country, and it will be essential therefore to justice and good Government that there should be no respect of persons in the administration of criminal justice or in the tribunals to which they may be amenable.

THE POSITION OF THE EUROPEAN

We are enabled to present to our readers a document, a veritable state paper, the contents where of are like unto nothing that have been seen or heard of since Menu published his penal code, or, at latest, since a Roman Emperor commanded his subjects to worship mule. This precious document is a translation of an Urdoo perwannah issued from that exalted seat of wisdom and justice, the cantonment Joint Magistracy of Agra. We will no longer keep the minds of our readers in tension. The paper is as follows :

Whereas it has been ascertained by statements made by divers Shaheblogues, that Hindostanees, on meeting them in the public

thoroughfares, do not salute them, or stop their horses or conveyances in token of respect when such shaheblouges are passing by; and whereas such conduct is highly unbecoming and may be counted as impertinence on the part of the Hindustanees: Be it therefore notified, under order of the officer commanding the station, that every Hindustanee driving in a carriage, riding or walking within the limits of the cantonment, must salute every shaheblogue of rank and every Gorah whom he may meet on his way, and if riding or driving in a carriage must take to one side of the road so as to allow such Shaheb or Gorah to move on; a non-compliance with the order rendering the offender liable to arrest and punishment. And let this Notification be proclaimed by beat of drum daily for an entire month and weekly for the three following months, and let a copy hereof be forwarded to the Magistrate of Agra, that its purport may be made known in the city of Agra.

We beg our readers to believe that the foregoing is a genuine order passed by the British officer holding the office of a Magistrate under Government of India. It has been placarded all over the military cantonment, and we believe it has since then been adopted by the city authorities. The strictest obedience is enforced to it; and that not always by the aid of the police. Similar orders have been issued in other parts of the North Werstern Provinces.

Intense meanness or wretched purility is not the offence which we condemn in the authors of this rescript. They come in not merely for a share of simple unalloyed contempt. Ample as that share is they must need excite and draw forth also the disgust of all right-minded men. They remind one of the class of sturdy mendicants who wander in the streets of Indian cities and exact bounties from decent people by threatening to exhibit their filthy habits.

If, as some of our English contemporaries pretend. the rebellion has brought out some new phases of native character in India, it has added not a little to our knowledge of the character of our British fellow-subjects. We had, for instance, hitherto believed that they were a haughty race, but never deficient in self-respect. We know that there was a class among Englishmen, as among other nations, who, destitute of every claim to social consideration, sigh for that state of lawlessness in which alone their importance is

recognized. We know the intense anxiety of the shop boys, sub-editors and section writers in India to be treated as men. We know their bitter hatred of those who refuse to address them in letters as Esquires. We know also that a better class of Englishman hold fast to the faith that the European as such is a superior being to the Indian as such. But we did not know that there existed in the classes which fill the higher grade of the civil and military services of the Government of India the consciousness that they were excluded from the benefits of all conventional rules of civility and politeness except such as could be enforced by "fine or imprisonment." We did not know that the feeling which mixed with spilt sherry made the Parisian patriots of the revolution reel at the sight of respectability in any shape, could, under circumstances, actuate British Haves as well as Have-Nots.

We are taught one thing more: We have often said that we do not believe a great part of the accounts given of atrocities committed in India during the mutinies. We will now believe it. Any land may produce rebels, but a land where man like authors of this order hold power can alone breed such rebels as executed Nana Shahib's commands.

WHO IS TO BLAME?

This is a short question, but of prodigious moment in the affairs of the world. Its solution leads to facts of the utmost importance. All legal suits are determined by an answer to this simple query. In short in substantive law this is all in all. The ascertaining of "who is to blame" is the whole and sole business of jury, and decisions of life and liberty turn upon it. The same with morals. The highest problem of moral philosophy is, "what is rectitude." Politics too have to do with it. America did not declare the war of independence, England and France did not enter into war with Russia without deciding this question. And we now introduce it into Indian politics—in regard to the relations in which the vanquished stand to the victor. We,—the people of India—have been covered with reproaches by the Indian journalists, or more properly by the European section of them on the score of race hatred and animosity, we admit that unpleasant,

in some instances, bitter feelings exist between the ruled and the rulers; but who is to blame? That ill-blood should prevail between parties so related is perfectly natural; but that it does not abate, who is to blame for it? We do not conceal that we would have heartily sympathised with whatever the British did—have gloried in the British name, were we British citizens, or were they our natural rulers, but that we might have liked them better if better treated is equally certain. We say liked, because love we never can until we feel sure that our interests are the same with those of our rulers. It is not human nature to return good will or affection, for continued scorn and contempt. The Italians, though inhabiting the same peninsula, and though not widely differing in race, language and manner, heartily hated the Romans till they were admitted to the Drondiese or the citizenship. Our present rulers themselves as heartily hated their Norman conquerors before all connection with Normandy ceased, and Norman kings and barons became English kings and nobles in effect as in name.

We may fear, we do fear, as the weak must do the strong, and will fear, so long as the higher motives are allowed to lie torpid. But why are not those motives called into play! Why not make us obey through love, and not dread. Who is to blame herein? Sertorious the Roman went to Spain among a people, the determined foes of Rome, (who had carried on an uninterrupted war of sixty years, with the Romans, and were at that very moment in arms against them) and made himself their darling in the short space of only ten years. Sertorious was a heathen, Sertorious lived in the century preceding the birth of Christ. Ten times ten years have rolled by since the English first set foot on Indian soil, yet, alas! they are the objects of strong dislike among the people whom they govern. The English are Christians and live in the nineteenth century after Christs' birth. Who is to blame?

TREATMENT OF THE NATIVE

We publish below an excellent little article from a Bombay paper on the treatment of the natives of the country by Europeans. The subject is one replete with interest, but suggesting reflections

of the most painful nature. It is not the Bombay sessions alone which bears evidence of the wanton violence that marks the habitual behaviour of a large and growing class of Europeans towards the natives of this country. At a recent prosecution in the Supreme Court, the Advocate General had cause to lament over a similar state of feeling between the two classes. During his extended professional experience, Mr. Ritchie said, he never met with so many instances of natives falling a sacrifice to the wanton rage and violence of Europeans as within the last few months. A number of trials have taken place calculated to produce the moral impression on the minds of the population as regards the feelings of the European towards the native in this region of the world.

"If it be true, as we believe it is, that the natives of this country form their judgment of our national character from the conduct of individual Englishmen, the last Criminal Sessions here must have darkened our faces considerably in the opinion of our indigenous fellow-subjects. The calendar contained the names of no less than five Europeans charged with violent offences, three of them having caused the untimely death of as many fellow creatures. There was first the sad case of George Bease who, as few doubt, shot his wife and wounded her paramour. This case will tell heavily against us as furnishing occasion to think and speak lightly of our national morality. Then there was the young man who, while under the influence of terror or the excitement of liquor, fired his revolver right and left among a crowd in a village bazar, wounding several people, in some instances mortally. Next we have another youngman, W. J. Bollock, firing at and killing his butler because the man would not confess to the theft of some brandy. Lastly there is the murderous assault committed under slight provocation by the sailors Melvil and King on their chief officers. It is seldom, happily, that a sessions produces such an array of violent crimes committed by Europeans as this ;—perhaps we may venture to say that such a display was never made before. We fear however, it will tell against our national reputation if we were to treat this as if it were an ordinary thing. Cases of violence towards natives leading to their death are always sadly too common, and they must have a large effect in prejudicing the people against us individually and collectively. This springs chiefly from the vulgar

conceit that the "Saheb," no matter what his character or position, is immeasurably above the "nigger," and that indeed the latter, poor soulless wretch, exists but to serve the master race and to be cursed or cuffed as though he were really no more than a pariah dog.

For the credit, not to say for the safety of the British community in India it is to be hoped that our young men will learn to treat the people in a manner more contistent with their own true dignity, and to illustrate more worthily the virtues of our nation. It is only thus that we can hope to win the true respect of the natives of this country, and to establish with them our character as a nation of just and good men."

We strongly doubt whether the "young men" of the European community in India thus feelingly addressed will take the above in good part. No gentle teaching will convince them that the nigger has a soul or that he is made to do anything but minister, aye even with his life, to the wants of the Shaheb. Not that we deny the utility of such exhortations as the *Bombay Gazette* has put forth. Far from it. They secure, if not to reform the "young men," to shame their betters (*sic*) habits of thought and expression into more becoming than is common among them. The majority of the Indian Press are afraid of speaking of the evil. There are a discreditable few who delight in its existence. The occasional expression of such opinions as the Gazette propounds will gradually have an effect upon the most callous and the most timorous of our contemporaries. Thus, again, there are the juries which are privileged to try European offenders against the persons and lives of natives. The culpable levity with which these juries treat such offences, the profligate obstinacy with which some jurymen hold out to save the guilty from condemnation can only be cured by the action of a healthy public opinion such as can be produced and rendered effective only by repeated remonstrances of the nature published above. It rests, however, with the judges of the land to teach the great lesson that an all-protecting law watches with equal care, the life, liberty and person of the whitest and darkest of Her Majesty's subjects.

MR. TOWNSEND'S LECTURE *

In no country in the world where politics forms a recognised pursuit is there so little talk upon public affairs as in India. The weekly meetings of the Legislative Council seldom form occasions for the delivery of speeches. Town Hall orations take place at intervals of years. Ceremonials which bring government officials in contact with the people, such as the bestowal of khelats and titles, afford appropriate opportunities which are rarely availed of. The upper classes of the people themselves feel no voeation to enlighten their countrymen on topics affecting the national interests. Party feelings evaporate in lengthy petitions. Public measures are inaugurated by verbose resolutions and vindicated in multitudinous paragraphs. Everywhere the pen has superseded the tongue.

It is only the other day the *Times* had an article on the function of lectures, in these times. Whatever they may be in England, here their utility is manifest. The political lecture is in many respects different from the mere political speech. Both, of course, have a practical object. Both are eminent aids to political agitation. But the lecture has a larger and a higher scope than the speech. The former instructs with something like authority. It lays claims, and generally has the claim allowed, to something of the deference paid to judicial utterances. It has almost a judicial exemption from face-to-face criticism. It is much more elaborate, more exhaustive of the subject, and usually better reasoned than the speech. Hence it is the form of communication most suited to the prosecution of political objects in India. Here we have no political leaders of eminence whose word of educated men with formed ideas upon the leading questions of policy (*sic*). Few understand them, and the many therefore require to be instructed and led rather than courted and converted. We therefore hail Mr. Townsend's lecture "upon the influence of Europe on Asia" as the first of a series of communications on political subjects in a new and most useful form of the lectures. Itself it may be said that it has proved successful. The object of the lecture was to build a scientific theory that may serve as a solid foundation for the policy advocated by a large section of

* Meredith Townsend, the Editor of the *Friend of India*.

British residents in India—the policy of placing the European population of India on the footing of a privileged class. The lecturer has succeeded in constructing a theory calculated to impose upon people. He enumerated all the examples afforded by history of Europeans races conquering in Asia, and ultimately losing their power as they fused in one common mass with the conquered race; and deduced from this list the conclusion that Europeans are distined to conquer in Asia, but that the maintaining of an exclusive and isolated position of political and social superiority in the land they conquered was an indispensible condition of their maintenance of the empire. There is much of plausibility if not of novelty in this theory. The present aspect of affairs in the civilised world, the aspect which makes the greatest impression on observers, strongly favours this theory. The superiority in almost every respect of the European over the Asiatic races is so manifest that the domination of the former over the latter seems to be a matter of necessity, a law of nature; it seems equally a matter of necessity a law of nature that the amalgamation of the superior with the inferior race, either physical or political, should result in the production of a breed in the one case and of a power in the other inferior to any one fresh from Europe.

The success of the lecture is ascribable to two causes :—

The first is the character of the audience he addres ed. An audience of Englishmen is better apt than any other to appreciate lessons drawn from history. They have a great deal too much in the history of their country, in the traditions of their breed, to be proud of. The history of their country, flatters their national vanity while it edifies their intellect. On the other hand, scholarship, deep or extensive, does not form a very distinguishing feature of an English audience. Critiques upon Mr. Townsend's lecture which have appeared in the newspapers of the day exhibit every good scholarship. The lecture is blamed in these critiques for his utterance of an unchristian and ungenerous sentiments—and there the chivalry of English nature could not restrain itself within the bounds of spurious patriotism recommended for the guidance of life—but no one has blamed him for his suppression of many historical truths. That with two exceptions the fabled capture of my and the conquest of India, (we put the crusades aside as events

that led to no events of great geographical importance) the tide of conquest has always flown from east to west is a fact covered with much more tact by the lectures than scanned by his hearers.

Secondly the lecturer has fortunately used a phrase to which he could need not give its real significance without overturning his theory. He speaks of a law of race,—and though his ethnology has simply been laughed at even by his countrymen, he has struck at their deepest passion. We feel no pride in claiming kindred with the Anglo-Saxon race, and wish that the evidence on that head were less conclusive than it is. But science, even when impressed to the service of faction, refuses obedience to clumsy manipulation. The politics of the Indian Reform League will derive little support from ethnic science. The Bengallee owns the same origin with the Anglo-Saxon. If he is a subject race it is because he lives under the guidance of a different, perhaps an inferior civilization than the Anglo Saxon.

Our allotted space is spent. The subject may claim another notice.

POPULAR FALLACIES

The letter signed X. Y. Z; published in the last week's issue of the *Friend of India*, broadly discusses the tone of the Indian Press and the temper of the non-official portion of the European community at this time of general turbulence. Although we do not share with the writer in all his thoughts about Indian progress and all his views on the most efficacious means to promote that end and his opinions on the present course of policy for the government, we still highly admire the strong love of justice and christian truth who pervades the epistle. The writer bases the future government of India on strictly christian principles, and maintains that the end of England and of Providence will be best served by such a conduct. We do not quarrel with christianity nor do we hold it as incompatible with the march of civilization or the advancement of a nation's political happiness. True and unperverted Christianity is a better code for the guidance of sincere and liberal statesman in the path of truth, and justice, liberty, and equality for the human race than all moral philosophy and codified abstract political maxims. But

religion is not infrequently a cloak to cover in appearance many sordid vices and impure motives, and Christianity is in like manner not seldom made by selfish and calculating men to give authority to opinions and sanctify measures which in the end are calculated only to promote their own interested views. Christianity above all teaches toleration, but say who dare that the most professed pious Christians sojourning in this country are not the worst of intolerent men. We mean no disrespect to or libel on the goodly set of devoted and sincere missionaries of the Gospel, but we do not doubt that our words will sting those whose conscience can not deceive. If moral influence is superior to all material agency, is it consonant to the doctrines of Christianity to sanction the sway of the sword before the calm conquest of the reason? If equality is the noblest principle that the soldier of the cross should battle for, is it Christian to advocate such a privilege which is certainly a benefit to a few hundreds and an absolute hardship to millions? The leading fact of the true Christian's daily life is charity, but the Christian writers of India, advocating Christian policy, make it a religion of high-handed oppression and racial tyranny. Legislation will not suffer one system of justice for one class and another system for another class, virtually legalising that race superiority and hauteur which have of late begun to mix so much with the Anglo-Indian's daily habits and actions; but our Christian writers in India must oppose that effort of the legislature tooth and nail and call this opposition the practical tendency of true Christianity? If example is stronger than precept, the Anglo-Indian surely leaves such an impress of his character on the native's mind for good as will never be obliterated. The British Lion, we read in the fiction of history, is a noble animal, but we read only in such fictions. Christianity is a too palpable reality, but it is marked under a false guise in the hands of the Anglo-Indian. We do not however, in stating thus freely our experience of the Christian spirit of Anglo-Indian writers, mean to disparage the writer of the epistle under notice. He appears to be perfectly sincere, and as such we shall remark on one or two points advanced by him.

His arguments about equal justice and equal liberty for the diverse nationalities that people of India, with Europeans, are sound, and manifest a spirit that marks him above the average run of his

countrymen in the past. But while recording our approbation of these sentiments of the letter under notice, we can not with safe concience pass over one monstrous falsehood which the Editor of the *Friend of India* has published in his review of this epistle. The Editor says that the European never receives justice at the hands of Native Judge. The high intelligence and civilization of the former, constitutional ideas and love of strict and undefiled law, make him, it is said, an object of suspicion and not sympathy to the latter. If a studied falsehood could be more ingeniously penned and industriously circulated than this we are much mistaken. Surely this false assertion having no fact to rest on, is a deliberate libel on the Native Judge of India, and on the whole judicial policy of the country, inaugurated by Lord William Bentinck, and supported by strongly and loudly expressed opinions in England. The *Dacca News* who draws its weekly inspirations from the experience of Mofussil courts, especially Native, and anxious always to find a flaw in native decisions has with all industry, succeeded in finding but few instances in which the Europeans did not receive justice from the hands of a Native Judge. If private courtesy does not interfere, we challenge our European friends to cite a single case in which the European was done injustice to or his claims were disallowed upon grounds of law and fact by the Native Judge of the Small Cause Court of Calcutta. To say that the Englishman is a representative of a higher civilization and therefore a riddle to the Native Judge in respect to the habits and transactions of his daily life is enveloping a patent though disagreeably hard fact in needless mystery. We admit that the society of England breathes a higher tone, and the world the Englishman comes from to this country has many discrepancies for which we have no name here. But the Englishman can be known as much from the faithful pictures of his life in novels and other social episodes as from a daily intercourse with his thoughts. He is a great babbler and cannot keep his secrets. He is a great lover of his own self, and is always portraying forth his own shape and make. He is proud of his country and of his society and is never slow to lay bare before the world their distinguishing features. He is great salf-accuser, and is seldom chary to tell of his own foibles and chronicle his own follies. Thus the Englishman is

no secret to the world, much less to the Bengalee, who studies him the most.

There are other facts and conclusions with which X. Y. Z. has interlaced his letter and made comments upon, but in this contest we observe one fact, namely that the letter writer is always on the right side, while the Editor is as invariably wrong. The Editor, unable to stifle the appeals to reason and religion which the letter writer argues, invokes the latter's patriotism and national pride to drown them. He betrays an obstinacy in holding the iron hand of the European over the native which is never the amiable, and declares he will not resign it, though he may be defeated in fair contest of opinion. These subterfuges and haughtiness are really miserable, and we are sorry to see that one who strongly inveighs against the Press Act should be the staunch follower of a course, which should offer the most thorough and incontestable vindication of that much abused measure of Lord Canning.

WHO ARE THE PEOPLE OF INDIA ? *

The *Westminister Review* believes that the people of India have no existence save "in the brains of Mr. Bright." It is something like maudlin sentimentality to talk of their rights, their liberties, their progress, their happiness. The class of writers who maintain that we have no civilization, no gratitude, loyalty, truth, fidelity, public opinion or national feeling, that our aristocracy is no safeguard to the state and that every native is a traitor at heart, are resolved to extinguish us by denying our very existence and to bring down annihilation upon those struggling vestiges of national life which are seen dotted over the vast length and breadth of the land. They would propagate that the Bengal ryot is a myth, the up-country peasant a phantom of some hot brain, the Madras cultivator a non-entity, the Bombay purvoe the being of a dream, the Mahratta Poorabee an impostor without history, and the rigid Hindu a mesmerized mummy of Egypt. The most extravagant idealist never disproved the existence of being more completely. But both the philosopher and the historian—the principal regu-

* March 5, 1858.

lators of the social life and moral being of the world—find the interests of civilization, humanity and truth imperilled in the inculcation of such a special dogma. It requires not Aristotle's Catigories, Bacon's Universal Principle of Induction, Kant's Pure Reasoning or Cousin's emperico-philosophical analysis to demonstrate the national existence of the people of India. The positivity of this fact is patent enough to be understood without the aid of Comple. But really it takes the world by surprise—and the action is most stupefying—to hear the *Westminister Review* ignore the existence of the people of India. Must then all history have been erring from the days of the demigods to those of the Dalhousie annual reports. Must then the fact of national suffering in the extreme Southern Asia have been a successful falsehood all along to be detected by a *Westminister Reviewer* in the eighteen hundred and fifty-eighth year of the Christian era? Must then the parliamentary deliberation on the good government and happiness of the people of India have been a series of self-deceptions to the public of England, undeceived for this long tract of time? Must then British rule, British conquest, and British Progress in India have been a vain long pursuit after a Man in the Moon?

Verily the question arises who are then the people of India? —It is they who cultivate the Indian field and contribute to the life and blood of the English Government in this country. It is they whose political life and existence as a subject nation are ruled by the Controllers and Directors of the East India Company. It is they against whom volunteers neigh and Photographers negative. It is they who feed the adventurer and the merchant and second European enterprise in this country with the agreeable offer of physical and pecuniary aid. It is they who tended with the nurse's care and the brother's sympathy the stray fugitives, burning with hunger and thirst, naked to the waist and shivering to the heart, that could find way from the volcanos of fanatic and rebellious fury which had burst open in the upper provinces of India. It is they, the sinews and bone of the land, who, when the Independent Britons conspired to make a mutiny by usurping the place of constituted authority and resolving themselves into a committee of safety, averted the calamity by a strong demonstration of firm attachment to and sincere confidence in the measures and

good faith of the reigning ministry. It is they upon whose future the world looks with an anxious interest. It is they whom Clive sought to conciliate, Hastings never disrespected, Cornwallis always cared for, Bentinck never distrusted, Dalhousie could not separate from his view of Indian Government, and Canning looks upon with confidence and hope. It is they for whose evangelization Exeter Hall resounds, for whose regeneration even Indian Reform meetings clamour.

We trust that the above description of the people of India will convince the most sceptical that there is a people of India—Niggers or Nobodies, there they are, veritable corporeal existences. How they should be dealt with—whether by the higher policy of the Romans towards the nations they absorbed into their empire, or by the policy dictated by "manifest destiny," is a question to be solved by statemanship as well as by dissertations on the law of race. The magnanimity and loftiness of a nation consist not in race hauteur and ungenerous display of power,—but in a dignified communication with the less fortunate nation and a course of proper conciliation to induce the latter to a better course of social life, morality and independence. Let Christian England learn political morality and international law from Pagan Rome and we may boldly say that her glory will be the heightened as she is farther advanced in civilization.

ANTAGONISM OF RACE *

In another column will be found a letter † by Dr. Mouatt repudiating certain very unworthy sentiments put into his mouth by a correspondent of ours who in our last issue gave what purported to be the principal points of a speech delivered by the Doctor at the distribution of prizes to the students of Suburban School. As a vindication the letter is, as a matter of course, completely successful, for it is an unqualified disavowal of the language imput-

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* *Hindu Patriot*, Sep. 30, 1858. Dr. Mouatt, the Director of Public Instructions, was reported to have said at a prize distribution meeting that Indians were liars, having supreme contempt for truth and that they owed their safety to forbearance of Europeans.

† Dr. Mouatt writes in this letter "I referred to the absence of a moral training as a branch of School instruction in Bengal and the consequent low standard of morals."

ed. But Dr. Mouatt raises another question of more general interest and importance. Disavowing any antagonistic feeling towards our race on his own part he seems to charge us with entertaining towards Europeans those sentiments of hostility which constitute what has been called the "antagonism of race." We fearlessly meet this charge with the traverse. We deny that any portion of the Bengalee population, educated or uneducated, Zemindar or ryot, rich or poor, high caste or low-caste, entertain any such feelings against Europeans as a race.

It would be necessary to go over the history of some few months to test the validity of our plea. The term "antagonism of race" was first employed about the state of relations between our countrymen and our European fellow-subjects not by the former but by the latter. It was first employed in formal and set language by those assembled the Town Hall about two years ago to oppose the enactment of a law proposed with a view, among other things, to bring European British subjects to the law of the country. It was then used and there used in a sense intentionally offensive to the feelings of the entire native public and degrading to their character and position. It was broadly stated, and without reserve or qualification, that the native of India was incapable of sitting judicially over the act, conduct and affairs of the European by reason of the "antagonism of race." Now this fact, namely, that this phrase was first employed by those who now charge us with having initiated hostilities, goes to prove that, so far as the feeling is concerned, the Europeans in India are principally responsible for whatever "antagonism of race" has been evoked by subsequent events.

The proofs strengthen with the evidence of later times. Those times have been as Dr. Mouatt well expresses it, an "unparallelled period of strife." And what has been the demeanour respectively of the two parties who have joined issue on this question during this "unparallelled period of strife"? It would be superfluous for us to insist upon the absolute necessity of separating the Bengalees from the rest of the Indian races in the consideration of the important topic. Nor are our European fellow subjects unaware of this distinction or reluctant to make it where it suits their purposes. Well then, this distinction made, we fearlessly assert that throughout this "unparallelled period of strife" the Bengalees

have manifested no real "antagonism" genuinely and unmistakeably founded on differences such as have actuated the majority of European residents in Bengal in their conduct towards its native population.

Now the most prejudiced or the least scrupulous of our opponents have not gone the length of deliberately attributing to the mass of the Bengalee population sentiments betokening any the slightest degree of race hatred. It is what have been called the educated classes of Bengalees who have in fact been charged with entertaining and uttering the sentiments that have afforded a pretext for the accusation. Well let us compare the conduct of the "educated natives" in this respect with that of their European fellow subjects. The facts are strewed over a small length of time, and may easily be recollected.

All that by any perversity of constructive genius could be made to denote manifestations on the part of the "educated natives" of an "antagonism of race" are the speeches delivered at the Town Hall meeting in support of the non-exemption law and the writings in this journal. Now, nine tenths of the sentiments expressed in those speeches were positively, as they were purposely, complimentary to our opponents on the occasion. The burden of the argument used in those speeches was that the subjection of Englishmen to the jurisdiction of the Mofussil criminal courts would ensure what the unaided exertion of the natives would fail to achieve. The majority of the speakers dwelt upon this point with an earnestness and sincerity that now seem to us really misplaced. One speech, indeed, was spoken on the occasion that adopted a stronger and, we hesitate not in saying, a higher tone. When Babu Rajendralal Mitter denounced the "sweepings of Europe" he simply inflicted a merited chastisement on a class which the great British public and British Society have repudiated with no concealed scorn. It is no small fault in a Bengalee that he should refuse to recognise a countrymen of the Ellenboroughs and the Brights in a set of men afraid to answer to the law and proud of an outlaw's privileges. Yet, even the language, harsh as it bears, bore a sense full of respect for the British character. The speaker plainly intimated that he could not reconcile it to his knowledge of that character—and all who personally know the speaker know that his knowledge

on that head is not small—that claims so monstrously unjust as those advanced by the non-exemptionists should be preferred by genuine true hearted Britons. Never did a nation receive a higher compliment than the British in Babu Rajendralal Mitter's speech.

As regards ourselves, we have very little to say. Though always willing to mend and make amends when wrong or doing a wrong, this journal is not accustomed to render explanations where they are not sought in good faith and a spirit of fairness. It may, however, serve the interests of some to point out that, throughout the contest which has been waging for many months between a section of the European public in India and the party it is our privilege to represent, we have—the "educated natives" have—never for a moment given to the strife the character of a contest between races. They have never talked of "the innate vileness" of the European, nor tried to prove scientifically that the European was made by God to be a slave to the native of India. They have never said that the European, because he is such, should have constantly the Indian's feet upon his neck, and that he is not deserving of better treatment. They have never given their sympathies to the committer of rape or murder because the victim was a European.

Partisanship we do not disclaim. In the pursuit of political object the "educated native" has felt himself under no obligation to study the wishes or the class interests of his European fellow-subject or to yield to his unjust claims. He abides by his own judgment as to which policy he is to support and which to condemn, and if in pursuing these ends he has differed from his European fellow-subjects, the difference is to be attributed to political not to ethnic causes.

SOCIAL AND RELIGIOUS

DIVISIONS IN HINDOO SOCIETY.

It is amusing to mark the desperate shifts to which the generation of grandfathers is ever and anon resorting in order to dyke in from the aggressions of a daily accummulating sea of new truths, institutions which were the marvel of their youth and which they would fain canonize in their dotage. It is piteous to behold hoary headed patriarchs, on whose brows has descended the halo of antiquity, making an expiring effort to rally round errors on which a new light has begun to break in—which will ere long succumb to a deluge of enlightened ideas, the first surges whereof are already moarning (*sic*) ominously. Worn out octogenarian minds vainly endeavour to set themselves in opposition to a progress which, obeying a fundamental law of nature, is moving onwards with the implacability of destiny. The spell which hitherto invested horrid social institutions with a tint borrowed from paradise exists no longer to blind the vulgar or obfuscate wisdom. There has been reared in our country a higher standard by which to designate the boundary between virtue and vice than couplets of Sanscrit verse, which are undoubledly very good poetry, but which, no ghost needs tells us, are not nevertheless revelation! Yet so strong is the inertia of ancient usages that even a skilful composition of forces is unable to disturb their position; or if it does, the rash Milo who achieves the impossibility finds perhaps a tomb in the cleft where he anticipated a triumph! There is nothing either monstrous or unnatural in the fact that those who have lived out a social cycle should traverse the utility of measures which were not essential to the happy and peaceful progress of the circle in which their best associations are quartered. But it is certainly extraordinary that the youngmen on whom the influence of recollection has not yet obtained any substantial hold should consign their judgment and independent thought to the rude modelling of forefathers by no means remarkable for ability or true learning—that they should accept as the *ne plus ultra* of human wisdom institutions

which bear on their very face the impress of barbarous ruffianism or selfish jealousy. Such a grovelling resignation of the truth-right of the human species argues a most lamentable condition of mental effiminacy, and a strong effort is necessary to enable us to spring superior to the obnoxious influence of invested opinions. The innovation recently introduced into this country by which innocent infants are intended to be snatched from a destiny of perpetual vestalhood has rent the Hindoos of Bengal into two essential divisions. The admirers of the new order of things have been denounced as heretics and branded as out-caste by their orthodox brethren. A few instances of widow-marriage have occurred, and the parties concerned have been excluded from the pale of native society. A ban rests upon them which it is our bounden duty to remove. If the educated amongst us display a resolute front, and are true to their professions, not all the shasters in India can prevent them from carrying out a just and wholesome reform. The inveteracy of caste has ceased to exist, for many things opposed to the shasters are now perpetrated by Hindoo gentlemen with but a gauge screen of secrecy. These, nevertheless, are suffered to comprise part and parcel of Hindoo society, and the most fastidious caste-monger does not hesitate to associate with them in religious ceremonies and social intercourse. It is only the open and defiant renouncements of the Hindoo faith which subjects the offender to social outlawry—making him a pariah amongst his countrymen—a thing of loathing and contempt. But the feelings which led to the enforcement of this treatment are less those of anger for transgressions of faith than of the disdain universally felt towards a renegade. The divisions in Hindoo society caused by the novel marriages have originated in the former description of feeling. They are the manifestation of the revenge of the orthodox party for the slight put upon their opinions, tinged with Asiatic repugnance towards practices which have a tendency to lower a romantic ideal of female chastity. When the feeling of revenge wears off, or as soon as large accessions are made to the liberal party consisting of the youthful members of those who are the most boisterous in their opposition to the new regime—the voice of clamour will cease to be heard and society will return to its usual course. Let not therefore the friend of the widow

be dismayed into a pusillanimous neutrality or discouraged by an impending interdict from acting conscientiously his part in the important drama. Instances have come to our notice in which native gentlemen residing in some of the villages about Calcutta who had openly espoused the cause of Hindoo widow marriage, have succeeded in putting down the voice of schism and still maintain the social position which the bigotry of a few ill-educated conservatives had faintly challenged. It is time that enlightened men begin to have a strong party of their own.

II. A PLEA FOR CASTE.*

Dr. Duff's lecture, delivered the other day in Cornwallis Square, was a masterpiece of missionary strategy. The gentlemen who preceded the Reverend Doctor in the same Hall, indeed spoke to the Hindoo portion of the audience, but his lecture was avowedly addressed only to the Sudra portion of his Hindoo audience. The Doctor's idea, though by no means original, was a bold and gigantic one, and we who honor genius wherever we find it, will not, while we dissent from his opinions, shrink from expressing admiration for the breadth of his conception. He aimed at a revolution of the most tremendous kind in Hindoo society. He attempted to organize a rebellion of the Sudras of India against the power and influence of their Brahmin priests and superiors. Having flattered them as profusely as judges and pleaders invariably do the juries they address, with their being men of sense and intelligence, he showed how Manu has practically ignored their humanity and degraded them to the level of the brute creation. He reminded them of the social grievences under which they labour; what with the degradation of caste, their civil disabilities, the oppressions and insults of the Brahmins and the extortions of the gods, their life was unbearable to any other people and all but unbearable to themselves. And he told them that there was a way yet of escaping these evils, and that was in a general Sudra insurrection against the authority of Manu as their guide and instructor in the ways of life, for it was Manu

* June 4, 1857.

who three thousand years ago had raised the other three castes at their expense and to all intents and purposes sold their forefathers and their forefathers' progeny to the Brahmins, and that so long as they did not forget the veneration for Manu which was now virtually a habit with them, there was no hope for them. It is a singular fact in nearly all the revolutions on earth that men, when they have once made up their minds to disobey their sovereign, or disacknowledge existing laws, pause to begin the offensive ere they have dragged to light some obscure repudiated statute or a law that was certainly made, but was never enforced whereon to allay the anxiety of their national conscience ; for, with the exception of the American and the French Revolution, all political struggles have ostensibly been to assert or to deny historical, but unrecognized rights—the question has scarcely ever turned on the natural rights of mankind. Precedents therefore required that the Sudra mutiny which was intended to be got up should be able to find a justification of it, as usual, in some such forgotten laws. Dr. Duff with missionary promptitude was ready with one. He alleged that the Vedas, certainly an older as also higher authority than the Institutes, do not countenance the degradation of the Sudras, as indeed the word Sudra does not occur in them. We shall here beg leave to observe that it matters little if it does not, in as much as it is unquestionably a sensible construction of the omission to suppose that either the inspired (in the human sense of that word) authors of the Vedas who like most ancient Hindu sages placed a great and meaningless importance on mere words and forms, thought it would pollute the pages of the Holy Bible of the Hindoos by the very insertion in it of a word discriptive of so degraded, because probably depraved, portion of mankind, or that, what is very likely, no necessity for the insertion did present itself at the time, and the Ved-makers with all their intelligence must be confessed to have been unable to divine that thousands of years after the date of their works the want of that necessity or rather the omission which that want caused, would give a Missionary a handle for a very mischievous work, or that the Sudras as a class were the creation of a later date. Be that what it was, Dr. Duff's discovery, and it was a discovery to him, allayed consciences of most of the Sudras assembled and the parvense (?) grin, with which they testified their

satisfaction and the boisterous merriment with which they, by way of thankfulness, cheered the lecturer when he was most dull, were a real enjoyment to a few discriminating gentlemen who happened to be present.

So far Dr. Duff. His enmity to the doctrine of caste ought not to strike any body with surprise. It has its enemies from a time so remote that every one should take it as a matter of course, as a thing to be naturally expected from men, who, whatever their attainments, are from the accident of their birth too impatient to be impartial on the question on hand, and are unable therefore to appreciate the logic of venerable institutions. Even here the school boys and debating club orators preceded Dr. Duff in the view he took of caste the other day, and they and their like were preceded by the archangels in the memorable revolt against the Almighty in order to realize a supposed equality with their creator. Dr. Duff gave Manu the undeserved credit of being the founder of the institution, which cannot be, since Manu evidently speaks of it as existing. The Doctor throughout the course of his lecture expressed and implied that in no other country and not even in India before the time of Manu did caste, in the abstract and true sense of the word, prevail. We shall not take advantage of an accidental omission and point to Egypt, Mexico, Peru and perhaps Greece and Rome, for a contradiction to his statement. We shall take our stand upon still higher ground and assert that caste is as antique as the creation, and not only that, but that it is a necessity with the creation. Caste implies two things. It implies both variety and harmony. Caste is creation, because caste is harmony and harmony is creation. No caste is chaos, because chaos is the negation of order and order and caste are synonimous. Caste also signifies subordination and there can be no order without subordination. Nature's plan is the most various imaginable. The absolute equality for which shallow men contend never and nowhere existed. Caste will of necessity disappear when the Millenium shall arise which shall see men born after our unchanging model, and when human monotony will be the order of the day. Before the Eutopia of the vision of religious measures like Dr. Cumming will be realized, caste except in momentary intervals of social anarchy brought by the influence of thinkers of Dr. Duff's type, will reign as complacently

as befits the most antique and universal institution or phenomenon or whatever you like to call it of the globe.

Our remarks on the subject have been necessarily confined to one, though the broadest, view of the subject. Next week we hope to return to it.

III. CASTE: ITS ATTRIBUTES AND HISTORY *

In our issue of the 4th June we promised to return to the subject of caste, brought on the topic of discussion by Dr. Duff. Our article having attracted the notice of more than one member of the Press, we hasten to the field of discussion while the subject is yet warm.

We have given it as our opinion that caste is coeval with the Creation, and that it is an omnipresent and inevitable institution. If anybody were to doubt the truth of our assertion, we entreat him to say if he can picture to himself a state of society in which absolute equality prevails, in which men are cast out on one unchanging model, and in which knowledge, power, wealth, mental, moral and physical qualities are arithmetically divided among all the members of the human species. We believe it is not given to the mind, with all its capabilities, to realize the impossible Utopia. Those who so strenuously advocate the establishment of an absolute equality superseding the present gradation of ranks, are little aware of the atheism that lies underneath their theory. Men like Mr. Duff and all who have any faith in religion ought to be scarced away from their intemperate denunciation of caste when they are brought to think how in that denunciation they unconsciously advocate the pantheism they abhor. The logical development of their argument would lead to the blasphemous conclusion that the Creator is of the same caste with the created. The followers of every persuasion have each their Heaven, a future state of existence, the reward of the good. It is repeating a truism to say that it is a perfect abode, and that there is no better place conceivable since all that is good, beautiful and lovely in human imagination is pictured there. All political and social

* 11th June 1857.

reformers who are able to carry their thoughts beyond the precincts of to-day try in their systems to realize as much as possible the inimitable excellence of the ideal Heaven. Well, there is caste even in Heaven. Will any, the stoutest democrat, dare to tell us that there the institution is not to be found. Will he rank God in the same caste with His Angels? Are there not again different orders of these latter?

Transporting ourselves back to our own world we see the germs of caste in the earliest and rudest forms of human society. Prior even to the formation of society itself, the germs may be said to exist in the inevitable inequality which naturally subsists between man and man. No human precaution can prevent one man from being stronger than another, or both being wiser than a third; and in the absence of any impracticable attempt at precaution it may well be supposed that great will be the dissimilarity of men to each other. A combination of circumstances will be in favour of one and disadvantageous to another. There will be strong and weak men, good and bad huntsmen, any less of a superior or an inferior order, and schemers generally more or less ingenious. Invention, the power to create resources out of nothing, is the most needed in such communities, if communities they may be called, and there is no reason why all will be blessed with an equal portion of it. Besides, the strong, whether in physical power, intellectual superiority or acquired accomplishments, has always a tendency to oppress and encroach upon the rights of the weak. The state of nature, such as the one we have been indicating, is substantially what Hobbes has asserted of the original state of mankind—a state of war and mutual endeavours at injustice, in which every one wrongs his neighbour whenever he thinks he will profit by it and safely can. The result is that the weak draw towards each other for purposes of mutual protection, and remedy by combination as much as possible the original want of individual strength. They naturally keep themselves aloof from the men of the stronger class, have, for their companions, men of like strength and consequently like mind, entertain as a matter of course a degree of hatred for those more powerful than they are, intermarry among themselves from necessity as well as from motives of self-interest and convenience, and therefore form a caste of themselves. Writers

and orators with incorrect ideas regarding the origin of society, and ignorant of the true influence which led the primeval wanderers and huntsmen to form nations and communities attribute the formation of castes to the hauteur and contempt of powerful men for their inferiors. The fact however appears to be what we have stated. No doubt strong men, good huntsmen, good anglers and swift runners were in the infancy of our race a sort of aristocracy in their time and were in fact the primitive aristocracy of the world, the unrecognized ancestry of many of the present lords of very Ancients' Houses of every country. They must be supposed naturally to conceive a liking for men of their own stamp. It is human nature to wish to give over, sons or daughters in marriage with the daughters or sons of another who is sufficiently on a par with him in sense, habits, modes of thought, physical strength and mutual skill. Reason has in this case at least to find no fault with the instinct of mankind. It is not otherwise possible to live in ease or attain convenience. For instance, it is not possible for the daughter of a man, weak in body and lethargic in spirit and consequently bred up in the associations of a weak and lethargic family, to be anything but miserable if married to a member of a family, strong, robust, active, fond of athletic exercises, and of sanguine temperament. Examples might be multiplied *ad infinitum*, but it is unnecessary seeing that they can easily be imagined by the reader. But though the strong and the weak exhibit a natural inclination to keep aloof from each other, it is pretty clear that in the formation of castes, the latter began the initiative.

Yet though the division of mankind into castes date from the origin of society, it is only as man progresses in civilization that the institution acquires strength. In the beginning the castes were from necessity few in number. Indeed at first there were only two castes,—the strong and the weak. Gradually as man acquired newer powers and had fresher functions to fulfil, and as arts and sciences were born and thrived, mankind, divided into nations, began to be divided into professions or in other words into castes. The growth and perfectibility of the institution depends on the growth of civilization. The reason of this is very simple. Caste is merely the embodiment in the form of a permanent social distinction, of the natural inequality between men. In the nonage

state and in all states approximating to it, there is necessarily a greater simplicity in human relations as there is necessarily also less of the inequality between man and man than in the succeeding progressive states inidcating human development.

IV. THE SOCIAL PROGRESS OF INDIA.

Despite the devastating fury and mighty convulsions of the Sepoy Mutiny, the slow but deep current of Indian social progress still holds its steady course. Few—very few, mark its career. But it is not for tempest-tost sailors to take notice of what securer men see. We, for ourselves, have long regarded with concern the overlooking of these two important facts in India. Without going below the surface, public men often draw irrational inferences, and lead other people to do the same by hasty expression of their private opinions, and sometimes even by public addresses. It is not long ago that a reverend gentlman, resident for a long time in this country, mixing frequently in native society, and esteemed as one of the best informed in Indian matters, gave out as his deliberate opinion that the shackles of caste continue still as well riveted as ever, and the Hindoo community is not a step forward as respects social progress ;—at least such was the impression left on the minds of the major portion of his hearers by his strong attacks upon Manu, and his condemnation of the educated men of the present generation. The mistake is pretty enough common; nor is there, as we apprehend, any other remedy for it than a more special observation of the inner workings, of Hindoo society. There will be seen that the wasting has commenced, and the pithy portion of the tree of superstition has a great deal worn out. We can assure our European friends that the educated natives stand no longer in need of exhortative speeches to make them to see through and put aside the objectionable customs and practices of their forefathers, to learn that the Puranas are false, that Manu was a created man, and that the Brahmins, have long trodden over the necks of the Sudras, nor do they wholly fail to act upon these convictions. They—at least a great number—have followed up in their actions the dictates of reason and conscience ; and where they have not

done so, it has been and still is with a view to avoid breaking the heart strings of those they tenderly love. To taunt them therefore with total indifference, simply because they abstain from giving occasion for those tragic scenes which attend family ruptures is, we think, by no means fair or just, if each in his narrow circle has not failed to do his utmost to shake the sway of caste, custom and priesthood. And this we are bold enough to assert, that there is no educated Hindoo who has not directly or indirectly contributed his mite towards the demolition of the reign of caste and priest.

We are not unaware that there are some who hold this tender consideration for the feelings of those they love and esteem as a weakness peculiar to the Hindoo, and charge it to his moral obliquity. But may we not ask such men to tell us why the early Christians under their Roman persecutors, and the non-conformists under the earlier Stuarts of England used to hold clandestine conventicles and shrank from all sorts of public avowal of their peculiar tenets. There was of course no moral obliquity in these cases The only way to solve the question, therefore, is by having recourse, to the fear of public opinion and persecutions of Government and society. Well, why then excuse the one, and refuse to extend the grace to the other, when the persecutions of society are yet more formidable in India, notwithstanding that the other kind is fortunately absent ? The sole difference to our mind, existing between the secret conventicles of those ages and the sneaking sect meetings among the educated natives of India now, consists in the former having been composed of a somewhat larger number, and of members principally of one and the same family ; while now here they are thinner and the units are gathered from different quarters. There are not, again, an inconsiderable number among them who prefer private prayers and devotion—a growth of the scientific reason of the nineteenth century—of which, we believe, there are not a few yet in Europe. Nevertheless, in what form soever it may show itself, the decay of priestly domination is certain. We ourselves know many young men, who in their boyhood had heartily offered munters and flowers to the Triad, but now deride them as heartily, and will with the utmost difficulty acquiesce even in the objectionable externals of Hinduism. In several ways, they prove to their parents, brothers and sisters and familiar acquaint-

ances, that their faith in Hindoo idolatry is shaken, and nothing can restore it. They enter upon short discussions and explanations with their mothers and sisters as to the absurd character of the Hindoo religion, and many a time, as occasion arises, some of them even venture to expound the true nature of Christianity as they understand it. Thus they, by unostentatious means, serve more to loosen the bounds which support the fabric of Hindoo idolatry than they could have done had they sallied forth from the bosoms of their families, and much more than what the whole corps of professed missionaries do at present. We therefore consider them as coadjutors in the grand work of Indian social reform with the missionaries, and the more efficient body of the two. Let our European friends bear in mind that this is a transition period, and the transitory process—as it is in every nation and age—operates in a manner which none but those who handle the machine can comprehend.

V. ENGLISH AND HINDOO CIVILISATION :— A CONTRAST*

To a native of Bengal contemplating from the standpoint of modern Hinduism the effects of European and Hindu civilisation upon the races respectively subject to the two influences, the view presented cannot fail to suggest many reasons for according his preference to the system in which he was born and bred and not to that with which circumstances have brought him in contact. Not that Hinduism as a social faith, is a perfectly true representation of the ends of human life or as a rule of action, rightly leads to those ends, but, divested of its grosser corruptions, it is infinitely superior in both these respects to the philosophy and the maxims of European life. The mere possession of superior physical advantages, capacity for political intrigue, individual influence over the actions of the central government does not invest European civilisation with any claims approaching in strength to those which Hinduism is justly entitled to urge on the regards of the species. The family property was in an inalienable condition so that members of the family,

* April 13th, 1857.

born and unborn may be maintained. Religious endowments were created in perpetuity to provide men with living without struggle. The consequence was that the people became so much charitably disposed towards their fellow brothers that many of them at least came to live on charity. In India, there are thousands of men who live upon charity alone from generation to generation. It has become a sort of profession to them. The English word "begging" may be applicable to their cases, but without the idea of lowness that the word begging invariably carries with it. "Begging" in India is honorable and is not a word of sinister import as it is with the English people.

Hence all ideas that compel men to struggle for existence are absent in the social systems of Asiatic countries. Their sole aim is an attempt to get the survival of the unfittest. Hence all ideas of activity, energy and perseverence for the existence are absent in our social systems. All is peace and calculated to preserve it.

This conviction we share with the mass of our countrymen. Enunciated, however, in a European language, it appears to be novel to the extent of being paradoxical. Europeans in general are so accustomed to confound civilisation with material prosperity, they hold the moral and intellectual parts of human nature in such inferior consideration as compared with man's animal necessities, their views of social organization are so moulded by living under a political system the fundamental principle of which assumes every member of the community to be a rogue, that they are incapable of appreciating the excellence of an order of things different from what they are habituated to—an order of things that does not comprise railroads, meat rations and universal suffrage. There have indeed been European thinkers who pointed out the hollowness of such a frame of society, but they have either been unheeded or ridiculed by the mass of Europeans. This was perhaps partly their own fault. Rousseau carried his condemnation of modern European civilization to an extravagant length. Southey, a weaker thinker and a less fervant feeler, retracted in after life the opinions of his youth. But the truths inculcated by Sismondi and Disraeli were eminently fitted to work a beneficial influence on the fortunes of the European nations and the character of their polity, yet they remain unadopted by both peoples and their leaders.

Similar convictions, though less clearly defined, actuate a class of politicians who are not usually reckoned among the statesmen of the civilised world, but who, in general grasp of thought, freedom from conventional prejudices and force of character superior to the ordinary men of European politicians—we mean the politicians of the genuine Anglo-Indian School. Thinkers of this stamp are, as we have said, rare amongst Europeans. It is, therefore, no wonder that it is habitual with them to consider no civilization equal—far less superior—to theirs, while some of them console themselves, in the comfort of a simple understanding and well-circumscribed vision with the thought that civilization is the peculiar portion of the European race. The greatest historian of modern European civilization, himself the truest representative and the most faithful apostle of its leading idea—constitutionalism—has in comparing European with Asiatic civilization, given the perference to the former on the ground that it has a greater width of basis—being founded on more than one principle of progress—than the latter. Asiatic nations, according to the Guizot, have always moved under the impulse of one idea—the theocratical idea generally. European progress is the result of the combined action of the theological, the political, the social and the industrial ideas. Hence, says he, Asiatic progress wants vitality and European progress is furthered by every historical catastrophe. We take this theory to be wrong both historically and scientifically. Firstly Asiatic civilization is not homogenous in its entirety. The civilizations of the Hindu, of the Chinese, of the Jewish, and the Arabian races are distinct from each other in their characteristics, and though the differences of the European nations of Celtic, Sclavonic and Teutonic are less marked, yet any comparisions between the civilization of the most favoured race in Europe and of the most unfortunate peoples in Asia must obviously lead to an unjust appreciation of the general worth of Asiatic civilization. Secondly, diversity of fundamental ideas is not an advantage to a peoples' life. M. Comte in his recent celebrated work demonstrates this truth with great force. It is the antagonism of co-existing ideas that he considers the chief defect of the European social system and it is the unity of ideas that he hopes the new science of sociology he founds will help to secure.

Let us now take for comparison the respective results of

English—a fair specimen of European civilization and of Hindoo the most distinct of Asiatic civilizations. We take for examination those two systems, as a discussion of their merits here has a practical interest which a more extended comparison would dissipate.

The radical difference in the social condition of the two communities consists in this, that whereas the competetive principle has been carried out to its utmost length in England, the principle of co-operation thoroughly pervades the structure of Hindoo society. Everyone for himself and God for all, is the expressive motto of the Englishman's active life; everyone for his community and the community for me is at once the rule and the reliance of the Hindoo. The results of these two opposite principles of action have developed themselves markedly in the respective communities in which they prevail and they forcibly demonstrate the general superiority of our social arrangements on whichever side we turn, but one.

First economically—The quantity of the material products of labour in England is enormously large, the number of consumers much smaller than it is in this country : yet so utterly vicious is the mode of distribution that the greater portion of the English population are generally uncertain of their means of living, while not a considerable section is actually always on the brink of starvation. Such appalling scenes of destitution as are common throughout the length and breadth of the United Kingdom have no existence in this country. And yet the population of the kingdom is worked to a degree which leaves them no leisure for other exercise or enjoyment and deprives them of all healthy relish for existence. The terrible extent of this evil is evidenced by its Statute Book and writings of its political economists and social philosophers. The pressure upon working classes must have been intolerably severe when in a country priding itself upon its constitutional freedom, the legislature was obliged to interfere in order to forcibly set limits to the hours of their daily drudgery and the drudgery of their wives and children. Mrs. President Tyler's taunt to her English sisters is not undeserved though, perhaps, it is not from an American that the taunt was deserved. The working population of England have few holidays save those which are created by want of employment and sickness. The poor laws—that caricature of upon God's laws for mitigating the severety of the primeval curse (as Christian Europe calls man's

obligation to labour) are another evidence of the magnitude of the evil. It can argue nothing, but a radical defect in social organisation that the indigent and the superannuated of a community should depend upon the compulsory benevolence of the propertied classes stimulated by pains and forfeitures. Had this been the consequence of insufficiency in the funds of general maintenance, had the productive power of England not immeasurably exceeded her increase of population, there would have been reason for the extent of want felt for the means of subsistence. But the case is directly opposite, and that again forms a source of complaint among the classes above the working classes. The miseries of over-production are felt as extensively among the capitalists as those of scarcity are felt by lower classes. The extremely unnatural character of these sources of suffering is proved by the efforts made by the father of political economy and Mr. Malthus to prove the beneficial effects of luxury. English civllisation stands condemned by the single fact that the relief of propertied working classes of England lies in the promotion of enervating, demoralising and spite—arousing luxury and that of the pauper working classes in penal sanctions for the exercise of individual benevolence. In no respect, however, is English civilisation found so utterly at fault than in the impediments which it lays to the indulgence of the social affections arising out of the conjugal and maternal relations. The measure of this privation must exceed all natural limits when it is considered that it is become an established truth in economical science that the demands of increasing population transcend the means of subsistence that the population can provide. Marriage, the natural provision of the weaker sex is barred to many. Those Englishmen who shower their pity on the widows of Hindoostan ought to remember that England, as Mr. Wakefield says, is the greatest missionary in the world. These are but a few of the phases of English misery caused by radical vices in social arrangement and they are enough to show that English civilization, whatever be its other merit, artificially entails an amount of suffering far beyond what those merits can compensate for.

Second : morally—Crime both in amount and atrocity is much greater in the United Kingdom than in this country and this notwithstanding the enormously more efficacious application of the penal

sanctions. We have not the necessary statistics at hand to refer to, but the most cursory examination of the state of the two countries will demonstrate that the proportion of criminals is larger in the United Kingdom than in Hindoostan. And as to atrocity, the difference strikes one at the first view. There is a ferocity in moral deadness, a thorough demoralization in the British criminals of the deeper order of crimes which is found wanting in the character of Indian ruffianism. The single one, drunkeness and its consequences are enough to turn the scale of morality in favor of this country. Apart from actually committed crime, the ethic condition of England is considerably lower than that of Hindoostan. We have arrived at this conclusion after the most mature and impartial consideration, our space will not allow us at present to enter into a full statement of the grounds upon which our conviction rests. There is one demoralising influence which prevails amongst all classes of Englishmen to a shameful degree, it is the discontent with one's situation in life so universal in England. Every man habitually sees a rival in another and every man is mad to rise in the world, to better his condition as the slang goes.

Third: Aesthetically—all that source of exquisite enjoyment which consists in general taste for supersensual gratification is open only to the higher classes of Englishman. The mass of the people have few conceptions beyond the gratification of animal wants. Even their songs and pastimes partake of their grossly sensual character. There is not a greater contrast than that exhibited by a Bengalee ploughman singing one of the songs of *Nidhoo* and an Englishman of the lower orders singing one of the airs popular in his country. The parallel could be pursued further, but our space forbids our doing so.

Fourth: intellectually—It is an admitted fact, admitted by almost all intelligent observers that the lower orders of the people of this country are more acute in their understanding than the corresponding orders in the United Kingdom. The higher orders in England are certainly more intellectual than similar classes here, but with the mass of the population, the advantage is on our side.

Fifth : religiously—The English nation are habitually more religious in their thoughts than the Hindoo nation are. Religion has two uses, one as a means of gratifying certain wants natural to human

constition, the other as aid to morals. In the latter respect, the religion of our countrymen had by reason of defective institutions become less efficacious than it ought to be, but in the former our advantages are transcendent—our festivals which while they shorten the drudgery of our poorer classes afford a source of the most pleasurable excitement to all.

We must again plead our want of space for dismissing the subject for the present rather summarily. We have shown enough, we believe, to make Englishmen doubt the correctness of their notion that India is galilic (?) out of which no good can come—the complacent notion that they alone can claim to be civilised. If they seriously ponder on what we have said they will begin to understand that Sir Thomas Munro may possibly have reason and truth on his side when he said that an exchange of civilisations between England and India will leave the former a gainer.

VI. CHRISTIANITY IN INDIA.

It is a growing cry of the party at whose head Lord Shaftesbury stands that the Good Word has met with a bad reception in India. The Evengelicals are after all convinced of the fact that in this land the fate of Empires really hangs at the tail of a pig and that notwithstanding Mr. Disraeli's epigrammatic denial that revolutions here are made with hog's lard and cow's fat. •Nothing can in their eyes excuse the sepoys for their unparallelled audacity in mutinying when pious Colonels proposed at great cost to themselves to rescue them from the grasp of Satan by daily sermons and distribution of religious tracts in the camp, other Christians,—those who do not occasionally meet together at Exeter Hall—have, however been disheartened at the comparative ill-success which has attended the labours of missionaries in India. They are sorry for the enormous sacrifices annually made in vain for the conversion of our countrymen. According to them half the men and capital employed upon this country is more than enough to make Christian men of all Patagonians, to regenerate all aboriginal Polynesians and Australians and to diffuse the gospel through the whole continent of Africa.

The calculation, though somewhat exaggerated has a great deal of truth in it. Patagonia will sooner rank as a Christian country

than India. The Fiegee Islanders with their cannibal habits will sooner be reclaimed into Christ than either the Hindoos or the Mahomedans. The cause of this difference does not lie, as is too often asserted by those who have made the subject their study, in the stubborn tenacity of the latter. The Patagonians probably are not less tenacious in their ferocity and the Feigee Islanders in their murderousness than is the Brahmin or the Mollah in his religious or other prejudices. The difference is, we fear, attributable to the difference of degrees of developement attained by the Patagonians and the people of India. The latter are a civilized race, while the former are unmitigated savages. In the case of the one the missionary has to displace a finely organized system of worship, in the latter to supply one. In India he has to contend with the belief of a nation which has produced philosophers equal, if not superior, to Plato in speculation, and in which every other man is a Diogenes, in Patagonia merely to fill up a total religious void. In India he has to supersede a religion nearly as old as man, and which, if it could be shorn of a superfluous machinery of gods and goddesses, is inferior to none in the loftiness of its moral and religious teachings; in Patagonia simply to create a religious necessity. We believe the task in Patagonia is much the easier one. When these conditions have been known and weighed, the difference of result will, we believe, strike no one with wonder.

The natural disadvantage of the Indian conditions in respect to missionary success, is aggravated by what, with a slight licence of expression, we may term the "ignorance of proportion" of the missionaries sent out to us. Brimful of pity for all nations without the pale of the church, they have a mischievous idea of the equality of Heathenism. In their eyes the difference between the religion of the Hindoo and that of the New Zealander is nothing. All pagans are pagans—the Moslem as much as the Patagonian, and they cannot award one treatment to the former and another to the latter. Unable to appreciate the dissimilarity between different pagan nations, they have one uniform policy for all; and the result is that the policy which suits one has a contrary effect upon another, the policy which conciliates the Zealander irritates the Hindoo, that which converts the Patagonians ensures the murder of the missionary in a Moslem land. The ancient Greeks and Romans in the

arrogance of civilization used to denominate all nations not Greeks and Romans as "barbarians." The missionaries, in the arrogance of their faith apply the same epithet towards all nations not looking up to Jesus Christ as their saviour. No wonder then that in Arabia, China and India they are laughed at for their simplicity and find it so difficult to be seriously heard. There are Hindoos and Mohamedans, vast in their erudition, profound in metaphysical speculations, and who might give lessons in logic to all the pious gentlemen in Exeter Hall. Our missionaries proceed to convert them with a pity for their errors and their sins which they ought to reserve for Polynesian savages. The consequence is that the genuine merits of Christianity and the undoubted claims it possesses on the serious consideration of mankind are lost upon them through the imprudence of the missionaries and their utter want of charity.

The missionary naturally irritates the people by still other ways. He declares, and by his conduct implies, that he has nothing to learn from them. His vocation is merely to teach and—save! He forgets in his headlong zeal what the natives might, with more justice, tell him, that they have nothing to learn, that they are content with the faith of their ancestors and the belief of their understanding, and that he has no business in their country. We are pre-eminently a logical nation. We hold that in as much as we hear you, you must hear us—or else we have nothing to do with you. Our readers will recollect the case of the missionary who went to preach to the Mahomedan population of Sarawak. The sensible followers of the Prophet promised to listen to the missionary on two essential conditions—firstly, that the white man should, preliminary to his preaching, learn the language so as to secure himself against misunderstanding which will necessary lead to great blunders; and secondly, that he should, in return, listen to what their Moulvies had to say. The missionary was angry beyond bounds to be told that he had anything to learn from people for whom he felt commisseration from the bottom of his heart. That is exactly the bearing of the missionaries in India. They are too learned in theology to have anything left to learn in the subject, far less to learn it from either Hindoos or Mahomedans. Learn from us;—why one might learn from a weed. The missionaries forget that the

Hindoos and Mahomedans are not a whit the less firm in their devotedness to their respective creeds than they are in theirs to Christianity.

It is of the essence of Evangelism to condemn the world out of their circle to perdition. The missionaries entertain such a sublime contempt for every religion, but the Christian, they are so perfectly impotent to imagine the possibility of anything good in anything un-Christian, that they wonder not to hear them talk of Hindooism in language which no Hindoo can hear without pain. The only weapon they condescend to use systematically against their adversaries is the weapon of abuse and ridicule. Whether from inability to argue or from a contempt for Hindooism—we are inclined to think from both causes—they content themselves with merely making a ludicrous picture of Hindoo duties and the traditions connected with them. We, that is the writer of this article, once heard Dr. Duff when that gentleman endeavoured to bring Vedantism into disrepute by funning over the Veda's conception of the Brahma. Adverting to the representation given of the Brahma as a Being hateless, loveless, feelingless, passionless, &c., the Revd. gentleman concluded by saying that such a deity was his shoe or his stocking. Now, we will ask those who have the well of the Church at heart, whether such language is not suicidal to the interests they advocate. Will Dr. Duff much like to be paid in his own coin? When a man is intent upon it, he may make himself merry on the most solemn occasions and on the most sacred topics. The Christian religion does not present fewer themes for the comic genius than Hindooism, or perhaps any other religion. The immaculate conception alone might make the fortune of any number of jesters.

When the missionary expresses commisseration for our degraded moral and religious being, all we do is to laugh at the presumption of a man, poor in knowledge and poorer in thought, the great-grand-father of whose great-grand-father was, we know, a painted savage.

In conclusion, to recapitulate what we have said before, the evil which our Christian friends regret, viz. the ill-success of missionary labours in India will go on increasing till every missionary combines in his person the metaphysician, the honest man, the oriental scholar and the polished gentleman.

VII. LORD STANLEY ON THE RELIGIOUS POLICY.

In our last issue we published a letter addressed by Lord Stanley to Lord Canning anent a couple of missionary petitions presented to the Legislative Council. One of these petitions prays for the repeal of such Regulations of the Bengal and Madras Codes as vest the general superintendence of lands granted for the support of mosques and temples in the hands of officers of the State. Lord Stanley in ordering the repeal has, to our minds, slightly succumbed to a pressure that is being long directed against the Indian authorities by Exeter Hall. What after all is the necessity for the measure? What the meaning of the religious cant we have heard on the subject? There is as much truth in the idea that Christians compromise their religion by looking after estates whose proceeds went to the maintenance of gods and mollahs as there would be wisdom in England's resolution to forsake India on the ground of its being a "heathen connection." There are to be sure those who think that Englishmen are contaminated by the charge in their hands of estates granted for purposes of Hindoo and Mahomedan worship. As well might the Bishop of Calcutta think himself contaminated by the crowds of pilgrims to Kalee-Ghat who on their way every morning stare at the pillars of his Lordship's Palace.

However, we are far from believing that the repeal of Regulatiom XIX of 1810 of the Bengal and Regulation VII of 1817 of the Madras Code, will altogether prevent the much-dreaded profanation—supposing any such thing to exist. The whole law relating to the management of the estates of Hindoo minors and lunatics must be remodelled, certainly for worse, before the desired consummation can be attained.

In their next petition the missionaries pray for legislative interference in the suppression of the cruel festival of the Churruck Poojah. The Churruck Poojah, our readers will recollect, is the never-dying butt of impotent philanthropists. From John Styles, immortal in the memory of all admirers of Sydney Smith on account of that impudent Kyme, down to the ex-students of our Colleges and do-nothing officials, its suppression has been the aim of all diluted reformers who feel themselves incapable of grasping

at any thing higher. We have always deprecated the interference of a Legislature appointed and controlled by the Government, in these matters, in as much as they form part of the religion of the country and as such interference is likely to create suspicions, very powerful for mischief, in the breasts of a people whose greatest fault and the only one which incapacitates them from the enjoyment of constitutional self-government now appears to be their dreadful credulity. And we are glad to find that in this question Lord Stanley has proved himself above the extreme views of the religious party in England. His Lordship is disposed "to leave the remedy to the progress of education and its legitimate effect," and forbids the Government of India to enter into "any immediate legislative interference in the matter." His Lordship further advises the Indian Government to enlist the sympathies of influential landed proprietors and other members of the native community to the side of civilization and humanity. This is the best and the only practicable way by means of which all social abuses and moral outrages under the name of religious observances, can be redressed and suppressed. Educate the two aristocracies consisting on the one hand of the Zemindars and on the other of the Brahmins who to all intents and purposes yet constitute the earthly Providences of the people, bring them over to your side, convince them of the error and the lethargy of their ancestors and influence them by all legitimate means to emulate each other in the rooting out of all social evils and the supplanting of all demoralizing public spectacles by creating a healthier taste among the mass of the population, and we shall as a matter of course cease to hear of such disgusting festivals as the Churruck.

But legislate, cries the enthusiast—sweep away by a decided feat of the legislature this cruel festival from the list of the popular amusements of the people. That will never do. We for our own part would, if we had it in our power, repeal the Act for the prohibition of the Suttee, and thereby snatch out of the hands of the passive religious rebels of India the last reproach they are enabled to cast upon the Government. Meanwhile we are convinced that we shall not, inspite of the repeal, be again treated to the piteous spectacle of a Suttee. So great has been the influence of education within the last few years, notwithstanding the assertion of

those who, building their prejudices upon groundless ethnological theories, contend that if education progresses in the ratio it has been doing since the administration of Lord William Bentinck, at the end of ten or fifteen years hence the Churruck Poojah, at all events the swinging process in the Churuck Poojah will be as much a thing of the past as the Suttee rite is at present !

Our hope will be greatly strengthened if we attend to the mutations of fortune which have already attended the Churruck Poojah. Originally invented by a Hindoo Rajah as a form of self-abnegation intended to give weight to his prayers to Shiva, it was recognized as one of the religious institutions of the Hindoo from the force of that Rajah's authority and example. Members of the first families and the highest order of Brahmins thought it no loss of dignity to submit to the process of back-piercing and swinging inculcated in the Poojah. Gradually times changed and with them notions of the people. The Mahomedan invasion imported a new code of honor and the back-piercing and swinging came to be considered in the light of a degradation by the "upper ten thousand" whether of caste or of wealth. At last in our own day it has, about the towns, came to be incompatible with polished manners and human feelings even barely to attend the celebration of the Churruck. Institutions once become national become from their nature tenacious, even after the spirit which called them to existtence has passed away ; and that alone is and will for some years to come be the plea for the abominaton of the Churruck.

On the whole Lord Stanley's letter is satisfactory. It is the logical development of that portion of the Royal Proclamation in which Her Majesty indicates her future religious policy. People were eagerly looking for some interpretation or practical amplification of the solitary epigram in which Her Majesty conveyed Her views on a subject so momentous ; and they will be happy to find something of the kind in the letter we published last week. The passage in the Royal Proclamation relating to the religious question consisted of two parts. One is the explicit and, beyond the reach of misunderstanding, a confession and declaration of our sovereign's own faith, and the other the disclaiming any right on her part to interfere with the religious propensities or observances of her subjects. In his instructions for the repeal of the Regulations

vesting in the Revenue Officers of the Government the superintendence of lands granted for purposes of Hindoo or Mahomedan worship, Lord Stanley evidently laboured under the anxiety of sticking to, and trying to give by deed, the meaning which the ministry when it drew up the Proclamation attached to the clause,—"Firmly relying ourselves on the truth of Christianity and acknowledging with gratitude the solace of religion." In the advice to the Governor-General not to push legislative interference in the matter of the Churruck Poojah, he has clearly endeavoured to conform to the spirit of the latter part of the sentence. And though we do not approve of his repeal instructions, we are bound to say, as we have had occasion so many times before to do, that we augur well of India from the continuance of the Derby Ministry in power from the very spirit of the fairness and earnest anxiety for the public interests manifested by Lord Stanley on this as on every other occasion.

EDUCATIONAL

SIR JAMES COLVILLE ON THINGS IN GENERAL

Sir James Colville has printed at the desire of the Senate of the Calcutta University his address to that body delivered on the occasion of its last annual meeting. This address appears to be the production of much labour and thought, and if it is not characterized by much literary brilliancy or rhetorical dash, a few bold figures here and there introduced show that the author was conscious of the demands of the occasion and his audience. It is, we are happy to observe, free from the gross errors of grammar and rhetoric which a recent specimen of Calcutta University English led us to apprehend. Sir James Colville is an authority of some weight on education, for if there are few striking educational measures with which his name is associated, the length of time for which he was connected with this department gives him a right and title to being heard with deference on this subject. Unfortunately in the present address he wandered away from the course he selected and discoursed on things in general. The diversified capacities, however, in which he is connected with public affairs in India, do not diminish the importance due to his lately resigned rank as Vice-Chancellor of the University of Calcutta.

The leading idea which haunts Sir James in his speculations on all questions regarding India is religion. He believes that the religious institutions of this country are perpetual barriers to its progress,—social, moral, intellectual and political. He cannot reconcile it to his mind that the Indian people would listen to all teachings and learn the entire circle of the sciences, provided such operations do not directly infringe their religious obligations and insult their religious thoughts and feelings. He cannot conceive that any sound system of instruction can operate without being engrafted on the stalk of religion—religion in its popular and not philosophical sense. He cannot understand that a thinking man with any religious sentiment can take his position as a teacher while secured from the religious sympathies based on moral-

ity which are, however, as he himself explains, universal and undisputed among all nations. He cannot believe that the educational labours of Government had obeyed any sound principles of instruction, in short he cannot think that sound education is possible without addressing it to the religious sentiment. But, inconsistently enough, he affirms that, as diversities of religious belief prevail in this country, a true means can be best attained by repressing all discursive thoughts on the subject of religion. He has learnt from Dr. Duff "of the tendency of the Native mind to prefer the subtleties of metaphysics and the intellectual exercises of logic to the sound and practical truths of purely ethical science," and therefore counsels the senate to discourage such studies among University scholars. He would thus surrender the liberty of thought and reflection and, for all good time to come, would perpetuate a course of instruction, the parallel of which can be found only in the schools of the dark ages.

Sir James Colville has a word, as we have said above, for things in general. He appreciates the aspirations of native youths for academical distinctions, and finds them not unfit for such honours, but takes good care to say whether the present course of instruction will foster them to the benefit of the country. The system of the caste offered to him a tempting subject for animadversion, and he tried his best to convince his audience, but we hope, without effect, that secular knowledge could not be imparted to Indian youths—nay they would not receive it—because the truths of physical science and the results of modern observation were opposed to the teachings and tradition of their country and to the doctrines of their religious-books. This from a man like Sir James is simply intolerable. We must allow that the philosophy of Indian life has greatly hinged on the institution of caste, but we cannot overlook the fact that it was a social necessity in this country. It is also not correct to say that the prejudices of caste offer insuperable obstacles to the prosecution by native youths of scientific and industrial pursuits. In all such questions it is important to bear in mind that when the feelings of the Asiatics are consulted and respected and worthy encouragements held out, as the experience of the last forty years clearly shows, he will embrace any beneficial pursuit of knowledge. The comparative failure of the Civil Engineering

College, to which reference was made, has not been well accounted for; it is owing to causes which our educational authorities with their present notions of educational economy cannot appreciate.

Sir James justly encourages the students to emulate such men as George Stephenson, but we cannot believe that he is in earnest when he counsels his young friends to limit their thoughts and aspirations to within the circle. He takes the Amlah to be the type of all Indians, but we would entreat him for his own sake and that of the people of this country to resign, when in England, this part of his Indian experience. We cannot, however, follow Sir James in his delicious rambling; we hope much with him from the change of Government and the revelation which the rebellion has presented to statesmen, but we cannot prarticipate with him in his prejudices against the educational views of Lord Ellenborough and Sir George Clark. We believe with these statesmen that the education of the upper classes should in all systems of public instruction be primarily attended to, and that it should be an edu-tion of the highest order.

As a legislator and an administrator of law he has very appropriately inserted some words in his address about the ancient laws of this country. He thus sums up his opinion on this subject: "I cannot but think it a serious misfortune for any community that its municipal law is closely associated with or dependent upon its religious faith, and possesses in the eyes of those who are subject to it the sacredness of a revelation." This we are forced to say is wrong estimate of the legal institutions of India. The remark is more true of the Jews than of the Hindoos. It is true that we have a union of religion and law in our codes,—and what country has not this connection in its ancient traditional laws? But the people here do not believe their laws a Revelation, unless they be those who do not know what these laws are. But if the definition of jurisprudence be what Burke gives, viz, " the collected reason of ages combining the eternal principles of justice with the infinite variety of human concerns," how admirably has the Hindu jurisprudence suited the various wants and habits of successive generations passing through such revolutions as the history of India for the last 2,000 years presents. It has kept our civilization intact, our municipal institutions fresh and our society stable. With its

aid, we are again awakening into a new social being, and, supported by it, we do not shrink from the ordeal of a new civilization.

II. THE SANSKRIT AND VERNACULAR LANGUAGES.

A sensible revulsion of public feeling has of late taken place in respect to the Sanskrit and vernacular languages of India. The public which thinks about the prospects of languages of the country and speak out its thoughts on such questions of deep domestic interest is sceptical about their uses and importance to the national advancement of India, and, as is its wont, murmurs against their cultivation and encouragement. Few men have a taste of the Sanskrit. It does not address to their immediate wants or uses. Their occupation is not congenial to literary pursuits and they are too utilitarian in their opinions to promote the study of a language, a creditable mastery of which must be the work of years. They have also certain stock-in-trade notions of civilization, modern progress and enlightened philosophy, which they are in the habit of using profusely whenever they are called upon to propound the theory of Indian advancement and the destiny of Anglo-Saxon civilization. Thus they would interdict the cultivation of the Sanskrit because it teaches exploded theories of the Earth's philosophy and the human system, and because it has body of Belles Lettres and pure literature not strictly consonant to the canons of European criticism. But if these prejudices are at all possible to be overcome, the last and most obdurate prejudices of race, blood and creed would not succumb to any influence. Their habits of thought and action scarcely induce in them any love for antiquity, and motives of interest disincline them from indulging in such pursuits. Thus the thinking and speaking public of the country are from predilections and forgone conclusions opposed to the encouragement of the Sanskrit. There is, however, still a class who would not countenance this interdiction, but who are inclined by thought, habit, and taste to the support and study of the classic languages of the East. Not a few among these are high oriental scholars, climbing with the spirit and ambitions of the labours and aspirations operating among some of the most advanced nations of

Europe for the revival of these ancient and world-reputed languages of Asia. These also possess the power to effect their wishes and to diffuse their tastes. But why in the presence of such auspices, adequate stimulus is not imparted to the study of the Sanskrit remains yet a profound mystery. The authorities in England have also not been slow to declare their sentiments regarding this question. In their celebrated Education Despatch they have prominently inculcated a liberal encouragement to the promotion of the oriental classics, laying on them the same importance, for high academic education that is attached to the languages of the ancient Greeks and Romans. But still visibly the study of the mother of the Indian dialects does not progress. It is true that a College devoted to the special study of the Sanskrit is maintained at some expense to the State, but the order of instruction which is imparted in that institution is scarcely calculated to raise a body of scholars able and ambitious to resusciate the tongue in which Valmiki sung and Sankyah thought. The race of professional Pundits whose recommendation to society and respect was their learning, is dying out, and in their place is rising up a mongrel species without a comprehensive knowledge of either the Sanskrit or the English. The system that is followed in producing such scholars can have no permanent interest, because it is based on a doubtful principle. The British Indian Association therefore have sent to the Director of Public Instruction and the University Senate respectively two ably written letters to institute a Professorship of Sanskrit in the Presidency College, and to include it in the curriculum of studies prescribed for the B. A. degree examination. This would invest the Sanskrit in the eye of the student with an importance which nothing short of it can, and would place it on equal footing with the English language, for, as the Association justly observes, the absence of such a rule virtually makes "the study of the learned languages of the East, (Keys to the vernacular languages and ancient learning of Asia) an immaterial object of study to the student whose aim does not extend to the highest mark of college distinction." We are however surprised to see that the representation of the Association, based as it has been on the clearest grounds possible, has not led to any practical result. The University Senate have not deemed it worth their while to adopt the measure, though as the *Hurkaru* very pro-

perly observes, example has been set to them by the most learned nations of Europe, who though they have no such abiding national interest in the cause of the Sanskrit as the Natives of India, are still labouring so enthusiastically for its promotion. We hope the Court of Directors will direct their attention to this question, and render back the debt alike to civilization and to ancient learning of the world which their executive subordinates have neglected to do.

The vernacular languages also have fared no better at the hands of the public, though their uses are quite palpable. With regard to this question they have raked up a principle, which is entitled to some consideration. They believe in the difficulty of educating the vast conglomerations of Indian nations in a foreign language widely different from theirs, but they maintain that unless an uniformity of language is established no homogeneousness can be attainded among them. And this section measures the utility of the English in as much as it is calculated to cement more firmly than ever the affections of the people to their rulers. But this is a descent into the depth of which we fail to penetrate. The real object of the Indo-Europeans is the national degradation of the people, and they have not miscalculated the chances of the English language effecting it. It is, however, not so much the English becoming the medium of popular instruction as becoming the language of communication in all State matters and Law Courts for which these men contend. That their opinion involves a transparent fallacy they do not condescend to see. It is indeed impossible to make the English the language for the ordinary transactions of the people, without making it like their mother-tongue equally familiar to them. The Romans failed though their civilization centred in cities and boroughs. And history records no other instance of such success. Even Mahomedans than whom no nation had, or have become so assimilated in thoughts, habits and feelings with the Hindus, have not succeeded. And the British, whose civilization and teachings distinguish the masses, can scarcely hope to achieve such a revolution. The Court of Directors in their able document above referred to have magnanimously acknowledged the difficulties. We are of course aware of the good results of instructions carried on in English, and believe that a thorough diffusion of it will further the cause of Indian progress

infinitely better than any other conceivable agency bearing on popular interests. But we must bear in mind that English education, unless of a high order, is fraught with danger. If the position of Bengal under English education encourages the promoters of the English language as an instrument of popular instruction, they should not forget that an elementary education would not achieve the results so much coveted. *The Friend of India* raises a pert question, " which is most convincing, the *Hindu Patriot* or the *Bhaskur*," and arrives at a conclusion complaisant to our self-esteem. But let the *Friend* consider whether a smattering of knowledge acquired through the English language would make us so acceptable or convincing as the *Bhaskur* with his reputed Sanskrit attainments has failed to be. We therefore maintain that when the people cannot receive and the State cannot grant them a high English education, it is better that the wise policy of the Directors should be adhered to. Let them imbibe English thoughts, and the leading facts of the European sciences and philosophy, but think and write in their own dialects. Indeed all thinkers on the national advancement of any country will admit that neither its natural resources, power, nor greatness can be promoted or confirmed without a respectable national literature. Dr. Sprenger very justly remarks that no nation has ever been great with locked science in a dead or foreign language. And the neat mathematician DeMorgan, in a laudatory letter to Professor Ramchunder of Delhi College on his high scientific acquirements, writes, "Rely on it, that it is in the native tongue of the country that the sciences must be really and effectually taught to the people." This worthy object can only be attained by a simultaneous study of the Sanskrit and Vernacular languages of the country, and any measure calculated to thwart it will be postponing the better day of India. Of course the court jargon of the present day is far from easy, agreeable or useful, and good sense and good taste, combined with a steady resolution on the part of the Government, will reform it. We are also of opinion that the advance of the vernacular literature seconded by an extensive diffusion of popular instruction will necessarily introduce improvements into the language now used in Law Courts and in law matters in our country. But the conversion of the English into the language of the Indian Courts will serve only

to give the penniless European sauntering in this country a hold on the ladder of office. We have reasons to believe that an organized effort is being made to accomplish this object, and we would warn our rulers against the selfish calculations of a few interested Europeans.

III. MATTERS EDUCATIONAL*

We feel no surprise to find that in the best informed circles of the native community, the recent measure of raising the rates of tuition-fees in the Government Colleges and schools in Calcutta has been deemed indicative of a disposition to discourage native education. The very arguments of those who endeavour to defend the measure serve to confirm the impression. First, there is a paragraph in the Court of Directors' celebrated Education Despatch of 1854, in which the principle is distinctly laid down that the ultimate object of the government scheme of education should be to fit the people for self-education. The principle is a most sound one, and is worthy of the statesmanlike document in which it has found place. Next, we have the Director of Public Instruction, the responsible minister of Education, affirming the same principle and endeavouring to regulate the operations of his department by a direct and immediate reference to it. Thirdly, we have the assurance through the students who are the medium of these communities, of great Principals and Professors employed in the Government Colleges—men who have no faith in their calling or love for their work, but who only hold on in their office for the sake of its pecuniary adjuncts—that at no distant date the Government Colleges will be rendered so difficult of access to native students that they will have to be abandoned from sheer want of anything to do. Lastly there are the antipathies of a large section of the local European population, arrayed undisguisedly against the cause of native education, and specially education of the sort which the Government schools are principally instrumental in imparting—high English education as it has been called—,and countenanced by

* June 10th, 1858

the first of living British-Indian statesman and Indian minister of the day. A combination of testimonials of such weight could hardly fail to have a decisive effect upon the convictions of our countrymen.

We have said that the doctrine enunciated in the Education Despatch is a most sound one. But in its practical application, as in that of other theoretical doctrines, regard must be had to existing circumstances. It is one of those abstract propositions which should form the basis of systems not their superstructure. It is the like doctrine of perpetual motion in mechanics, which no philosopher will deny, yet no machinist may act upon in its purity. It is like the maxims of politics that the end of all government is to fit a people for self-government—a maxim valuable while it lends its spirit to public measures, but simply anarchical if reduced without modification into practice.

It should be remembered in all schemes for the education of the people of India that in no other country, Scotland itself not excepted, has such an extensive system of education, founded on the principle of pure voluntarism, been in operation. Every petty village that has a bare sprinkling of what we may call the lettered castes has a school imparting instruction in the acts of reading and writing and in accounts at an inconceivably small cost. For the higher classes of students of indigenous learning there are seats of instruction which not only afford it gratis but free boarding besides to the students. Men of competence do not consider it beneath their dignity to devote a few hours daily to the dispensing of knowledge as an act of charity. In fact, so far as the ideas of of the nation on the subject go, the means of national instruction are complete.

The question then is, is the Government of India satisfied with the existing state of knowledge among the people and willing to circumscribe it to the limit within which it has hitherto ranged? Or does it feel its mission to be to introduce in these vast regions and amongst this intellectual people the knowledge and the civilization of Europe? Until the educational despatch of 1854 is recalled or cancelled, we shall accept that authority, and believe that the Government of India really wishes the people of India to share in intellectual advancement of the empire. And then, the necessity

of imparting a "high English Education" becomes apparent. Now as we have already said, there is nothing innate in native society which would create "want for the high English Education." External inducements must be held out. High office, literary titles, political power, social advantages, are some of the inducements which must be exhibited to draw the Indian intellect out of its native shell. The desire for a high English education, being thus created, the means of its attainment must also be furnished. It is the natives with a high English education who are to receive the first impulse of European instruction, to act as the medium of communication between the nation and its educators, to be eventually the most active agents in the work, to raise the standard of national culture, to implant in the heart of native society seeds of national progression. Viewed in this light, the cost of rearing the few young natives annually turned out with a high English education by the government colleges, high though it be—sixty rupees each per month as it has been accurately calculated appears no greater than the nation ought to incur.

The spirit in which this calculation of cost has been made calls for a remark. We can compare it with nothing that has appeared since Mr. Halliday deposed that the hundred and fifty millions of British Indian subjects had become dissatisfied by a police magistracy with eight hundred rupees a month being given to Baboo Hurrochandra Ghose. The intense vulgarity of the idea forbids its further ventilation. The particular measure under notice will injure the finances of the Presidency College and of the Calcutta Government Schools. It will not in the slighest degree aid or encourage the private proprietary schools.

To one other serious result of this otherwise contemptible measure we would draw the attention of Government. It is calculated to confirm the distrust of late attached to the professions of our public men. People will compare Mr. Halliday's speech in the Medical College Hall with his sanctioning a measure distinctly tending to discourage native education, and draw inferences injurious not merely to the educational prospects of the nation.

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IV. OUR EDUCATIONAL POLICY.

The last mail has brought from England three papers on the subject of Indian Education of which it is impossible to exaggerate the importance. They open the main question of the policy to be observed by Great Britain in the government of India. What is Britain to do in India? To govern it, is the readiest answer suggested. But the question recurs, govern it with what purpose? A minority that probably does not exist will perhaps answer that great Britain is to govern India for the sake of her imperial greatness which depends upon her possession of India, and for the sake of the salaries and savings of British servants in India. This answer will not be accepted by the world, and it may be dismissed as utterly beside the point. The only admissible reply, despite its catish appearance, is Great Britain's mission in India is to elevate its people in the scale of civilization. It is the only possible theory upon which British statesmen, called upon to rule the affairs of India, are at liberty to act. All subsidiary measures for the government of India must be regulated by this theory.

And first, an essential requisite to the attainment of the object proposed is the stability of the British power in India. In no other capacity than as the political ruler of the Indian nations can Great Britain realize the end in view; and she must act long, aye, for centuries, before the end is realized. The first maxim of British Indian policy therefore is that British power in India must be placed on a footing of the greatest possible security. All that compromises that security is inconsistent with the great theory. Secondly, the chief element of security is the contentment of the people. If that be disturbed or diminished the security proportionately diminishes. It is easier to extirpate than to maintain dominion for a long period over a nation universally hostile. The second maxim of British policy in India therefore should be that no measure however consonant to what are called enlightened principles of legislation and government should be enacted which is likely to produce extensive discontent. It is against this second maxim that the educational measures of the North-Western Provinces government for the last ten years have systematically and grievously offended. Of the sum total of discontent which the

rebellion in those provinces has disclosed a large portion was the result of those measures. It may suit the purposes of the class of politicians who, previous to the out-break lauded to the skies the Agra system of administration to the disparagement of the Bengal System to say that the hostility of the Hindustanee population to the educational measures of the Government was the manifestation of barbarism. Be it so. And the statesmanship which operated on such barbarism as if it was a civilized community to rule was grievously at fault. The truth, however, must be told. The Government of the North-Western Provinces by a stretch of tyranny unparallelled even in Indian annals extorted a cess to push forward what the people not unjustly considered a system of proselytism. The Court of Directors may affect to disbelieve Mr. Chapman's statement that the authorities of the North Western Provinces attempt to force their scheme of education upon the people, but the Indian public at once detects the hypocrisy and despises the cowardice which prompts a late and ineffectual disavowal.

There is scarcely a single question of Indian policy, foreign or domestic, on which an opinion propounded by Lord Ellenborough may not be accepted without examination as the safest and soundest that could be had. This faith in the genius of Lord Ellenborough has been confirmed in the most wavering by the events of the last eighteen months. On one subject, however, his lordship's sentiments were greatly misunderstood. He was known as an enemy to the education of the natives of India in European knowledge and civilization. His evidence before the Parliamentary Committees of 1853 was couched in terms that gave ample colour to this charge. They seemed to express a belief that the progress of the natives of India in that knowledge and civilization was incompatible with the stability of British rule. Even those who questioned not the soundness of the doctrine condemned it as one too ungenerous to be acted upon by a great government. The danger, even if real, was too remote to be taken into calculation, and the remedy it suggested was harsh and cruel to a degree not to be tolerated by civilized opinion. Lord Ellenborough has now taken the opportunity to give a fuller exposition of his views on this important question. Unless there has been a radical change in his Lordship's convictions, his opinions must have for many years been greatly misunderstood.

His letter to the Chairman and Deputy Chairman of the Court of Directors on the general question of the educational policy of the Indian Government places clearly his ideas upon the subject before the public. He epitomises the whole theory of education in one single sentence when he says that a safe and sound system of education should aim at diffusing knowledge and civilization by first operating on the upper classes alone. This has been the system hitherto pursued in Bengal, and in no part of India has the Government system of education been received with so much cordiality as in Bengal. One mistake, and it is an error of detail, Lord Ellenborough has committed. He seems to think that even in Bengal the Government system of education has not touched the upper classes in India.

Lord Ellenborough himself has with similar felicity pointed out the distinction, between gentlemen who may be poor and aspiring men who are rich. It is a fact that scholastic benefits in the Government seats of education in Bengal have been monopolised by the sons of high caste men who are generally poorer than the classes which buy and sell.

We had hoped for the day when our educational system would be placed upon a sounder basis than it suited the purposes of a selfish bureaucracy to rest it upon. The papers now published will, we trust, effectually tend towards the realization of our hope.

V. LORD ELLENBOROUGH ON EDUCATION

Lord Ellenborough's letter on education has been a sort of golden apple of contention. All Indian parties have unitedly, though each from wholly different motives, taken umbrage at it. The truth, told without circumlocution and with little respect for the amiable enthusiasm of the condemned, that the system of education pursued in the North West was one of the causes of the insurrection, has offended the powerful bureaucracy which was in effect though unconsciously, endeavouring for the last thirty years to create the revolt at which they now gape in amazement. The doctrine enunciated with such sententious brevity in the document in question, that education everywhere and particularly in countries

with feudal institutions should begin with the higher classes, has shaken the dreams of the countless philanthropic maniacs who base on popular education the realization of the greatest good of the greatest number. Those, and their name is legion, who make social felicity dependent upon an universal knowledge of the elements of reading, writing and arithmetic, object to the recommendation of imparting the highest order of education available to the few thousand families which exercise unbounded influence, either for good or bad, over the two hundred millions of this land. The Government Financiers are unwilling to spend millions upon so small a number of pupils, while the money thinly scattered over a wider surface, though it might really benefit neither the rulers nor the ruled, would get for the Government of India a character for liberality which could not otherwise be secured. Fancy Bengal, who borrows all his ideas at second hand from the Civil Service, is irate with Lord Ellenborough for having had the hardihood, in this age of steam engines and rail roads to deduce the fatal consequences he has deduced from the intellectual ascendency of democracy.

Nor is this all, To complete the Earl's misfortune, his Lordship has lost the good opinion of his friends of the Indian Reform League. They who so readily intruded their existence on this bleak and distant shore upon his Lordship's notice, with an address in which they shamed his Lordships by pointing the coincidence between their and his views on the Oude policy,—even they—" unkindest cut of all"—forsake him on the question of education. And not forsake him merely, they have found his Lordship a traitor ! The treason, we hasten to reassure our readers, is simply constructive, and depends entirely on the interpretation one puts on facts. We need scarcely remind our readers that since the mutinies the Leaguers have set up the cry of " Don't educate the natives." Finding their opinion very distasteful to all but themselves, and feeling hard for want of a great authority with whom to share the unpopularity, they began rummaging old MSS and antideluvian Blue Books. Fortunately for them, they stumbled over Lord Ellenborough's evidence before the Parliamentary Committee of 1853 ; and it was consolatory to their vanity, and a triumph to their causes, to find that the man whom rival factions and all parties

have placed at the head of Indian statesman, entertained their distrust of native education. But since the publication of his Lordship's letter, the delusion has been expelled. It now appears that after all Lord Ellenborough is not angry with education in the abstract, but as every one of us is, with a certain sort of education. The leaguers characteristically enough charge the noble Earl with inconsistency, with belying the expectations justly entertained of him from his evidence of '53. Inconsistency, in the first place, is not a crime as some fancy. Nature herself is inconsistent all her life. What was yesterday is not to-day. It is anything but unnatural for opinions, like all other earthly things, to move with time. Secondly, there is no direct proof of his Lordship's inconsistency. The passage to which the Leaguers triumphantly refer, properly interpreted reads thus. As it is, to educate the natives is simply sapping the foundations of British power in the East. For says his Lordship, " no intelligent people would live under our government." Never was sounder advice given as is contained in this brief passage. But what is its import? In reality, Lord Ellenborough says, that in as much as you educate the people, it is necessary that you raise the tone of your administration. As the natives improve in intelligence the yoke upon them ought to be lighter, or else they will not brook it. His Lordship merely advises our rulers to improve themselves as they enlighten us. Where then is the inconsistency of his now laying down a plan for native education?

The plan recommends itself to all thinkers by the solidity of its purpose. It is as far removed from the plan of any dreamer or of a well meaning but foolish socialist, as his Lordship himself is from the numerous radical members introduced into the Lower House by the Reform Bill. We have not the means of giving proper instruction—education as distinguished from a knowledge of reading, writing and arithmetic—to every class in the country. That requires an amount of resources which India is yet far from yielding. Necessity compels us to content ourselves with taking care of a class. What class shall that be we should declare and decide. Mr. Bright lately declared that the nation lives in the cottage. In India the cottager whom the Member for Birmingham with an exaggeration excusable in a democrat, raises to the dignity of the

nation, forms the least important part of the population. When Mr. Money offered the Queen's amnesty to the Shahabad rebels, they unanimously asked in amazement—"what sort of a gracious amnesty is this, which pardons the lower orders and reserves for punishment the higher?" The question and the amazement indicate the strength of the legitimate feeling in this country, the complete subserviency of the democracy to the aristocracy and the omnipotence of the Sirdars and the great families. Surely it is their duty as well as their interest to bring over to their side and to the side of order and civilization a class possessing such an influence over their countrymen.

We have one thing more to observe to those who sincerely believe that British power will find a securer footing in India from the education of the masses. If the History of Europe has established any one fact it is this:—that revolutions are brought about wholly by educated paupers. The present system of education in India aims at creating such a class, and introducing the most powerful element of disorder. The Government educators are carried away by the idea that by educating the masses England will best fulfil her mission, *viz.*, that of resuscitating the spirit of the East. We beg to remind them that all the work of regeneration entirely depends on the essential condition of England being permitted to reign on these shores. Whether that condition may be best or at all served by an education which ignores the higher orders, we have shown.

We hope soon to treat of other phases of the question.

VI. EDUCATION—NATIONAL.

The world outside the Indian Reform League is of opinion that a large British army must be supplemented by a large staff of instructors to secure the stability of British rule in India. The rule is exposed to a constant danger while the governors and the governed so thoroughly misunderstand each other as they now do. Improvement would be impossible and insurrections not rare occurrences if the people labour under a constant apprehension of their religion and property being attacked by their rulers and the rulers

be compelled to act in the perpetual belief that the people are treacherous savages whose hearts can never be known or won over. A policy of "rigid coercion and repression" cannot be permanently worked or relied upon. After all there is no positive harm in telling the people how to behave better while means are kept ready to prevent their behaving badly even if they would. It is in this view alone that national instruction is held to be a branch of Government in India.

But how to do it, or rather how to set about it is the question. A hundred and fifty millions cannot be put in school at once. There must be a beginning. (The present minister of education in Bengal thinks there must be an end too—and has been snubbed for so telling his government, who are as clearly in the wrong there as when they got the Chowkeedaree Act passed). Well begun is half done. There are a few tangible propositions put forward from time to time on this subject. We shall note down those most often urged. 1st. To extend the Bengal system of central colleges and zillah schools for imparting instruction chiefly through the medium of the English language. 2nd. To extend the system in force in the upper provinces before, of zillah, tehsildary and village schools, which imparted instruction principally through the vernacular. 3rd. To subsidize Missionary schools. 4th. To begin with an elaborately constructed system of popular instruction in some limited district and after such district has been educated to perfection to transfer the machinery to the next until the whole area of the country is swept over something after the fashion of the trigonometrical survey. 5th. To encourage by direct grants of money spontaneous efforts of the people to educate themselves.

Mind you, gentle reader, the main object of the Government scheme of education is or ought to be to educate the people so as to give them a capacity to understand, to appreciate and to profit by the institutions of the British Government of India. The scheme might produce a Newton or a Kant, but it is not or should not be its direct object to produce such monstrosities. Bearing this in view let us cursorily glance at the several systems of public education enumerated above, and see which of them is best calculated to serve the legitimate purposes of a Government scheme of education in British India.

And first as to the Bengal system. It is a system which has shared with its brother institution, the permanent settlement, the largest amount of abuse and calumny. The reason is apparent. It has been, like the permanent settlement, very successful. Its success has been its greatest fault. The Bengal system has raised up a body of instructed men who are British subjects at heart as in law, who can be governed only as British subjects will be governed, who are proud of Britain's glory, and who themselves, a few generations hence, will under Providence, be a not inconsiderable source of Britain's glory.

The benefits of Bengal system of public instruction have been confined to the upper classes alone, and in no other part of India is the influence of the upper over the lower classes so potent as in Bengal. Hence the enlightenment of the upper classes in Bengal has tended more to the enlightenment of the classes below them than effects of education directed to that special purpose could have effected. It is not the numerous schools for popular instruction founded by zemindars in Bengal that we allude to. We attach far greater importance to the force of opinion, and the unperceived, but pervading force of the example which the conduct of the upper classes never fails to exhibit to the lower. No Bengalee peasant shares the delusion that the British Government in India is determined to make Christian by force and fraud of all the natives of the country. No Bengalee artificer on the other hand feels less than the British Indian Association that the Chowkeedaree Act is a piece of tyranny.

Secondly,—The vaunted system of education adopted and in operation for so many years in the North-Western Provinces has proved as hollow as the equally vaunted land settlement of those regions. All classes of society are enveloped in one thick shroud of ignorance. The zillah and tehsildary schools have no more bred up a race of instructed peasants than of instructed millionaires. The education cess extorted from the population in scandalous breach and defiance of law has only, served to engender a bitter hatred of all British institutions. There is no class of men to act as interpreters between the Government and the people; and if there had existed any, their task would have been difficult to the verge of impossibility.

Thirdly,—To subsidize Missionary instructors is a favourite project with no small or uninfluential sect of British politicians. This system has had its trial also and proved a failure. We do not refer to the case of the Sonthals alone. The Missionaries have been at work for many years in Bengal and in Madras, and what have they done? Their schools are not much inferior in number to the Government schools and yet the effects of their teaching are hardly perceptible as compared with the effects of the official system. There is an inherent weakness in the Missionary scheme of education. It can never rise above a most damaging suspicion. Waiving the political objection to Government connecting itself with a sectarian scheme, it is obvious that success cannot be achieved without the active sympathy of the people; and that the Missionaries cannot command.

Fourthly,—The tranquillisation of India with successive agencies of education is a scheme which may have found favour with official people, but its impracticability is manifest. For the last seven years the district of Hoogly has been the scene of an experiment of this kind, but it has not succeeded. A generation may be taught at an immense expense of money and exertions to read, write and cypher; but unless a real love of knowledge is engendered, the moment the agency is withdrawn the local community will return to its pristine state of ignorance. We have known of no examples of love of knowledge being generated except where a high order of education has been imparted through the medium of the English language. The advocates of this system steadily oppose the introduction of English education. Their plan, whatever else it be, is one of vernacular instruction, and instruction through the vernacular, except under conditions which we shall mention below has invariably failed.

Fifthly.—The grant-in-aid system in its purity and simplicity can succeed only where a spontaneous desire for instruction is stimulated by extraneous incentives to its acquirement. Such a desire aided by such incentives exists only in Bengal whence alone we hear of the educational authorities being besieged with applications for such grants. It is the great merit of the system of education hitherto in operation in Bengal that it has made the grant-in-aid system possible.

Our idea of a system of public instruction would be realised in a plan which would confine the direct efforts of Government to the imparting of the highest order of knowledge to those seeking it and capable of profiting by it. They may be expected to feel their responsibility and to discharge it, disseminating their opinions in every way they can. Their influence cannot fail to tell upon national convictions. Such a system the Bengal system nearly approaches to be, and we look to its extension as the only means by which the true object of a Government system of education in India can be achieved.

VII. THE INDIAN UNIVERSITIES

The Universities brought to being since last year have placed the educated classes of India under a debt immense of endless gratitude to those that have thus brought to their reach these laureate honours. But it remains for the learned bodies entrusted with their management to acquire for them a place on the list of fame and a recognition of their right of conferring laurels by the entire republic of letters. They as well as the members of the institution over which they preside, must demonstrate to the world that they are of substantial use to it, that they are devoted to the fulfilment of one of the many duties of humanity. To do this it would not suffice to hold examinations, pass candidates and publish calendars. Their labours must be, to be efficient, be of service to the Republic nor would it do for the graduates to rocket their degrees, honours, and take their discharge. They should prove veterans in the war—a war in which the battle is life-long and which is interminable. It is nature with whom the contest is carried on and nature is boundless, infinite, everlasting. They should make the cultivation of arts their particular profession. But at the same time it is barely just that they should be provided with means to enable them to make it the exclusive object of their lives—at least such as have a mind. It is vain to cheer and encourage the garrison to hold out when provisions fail, it is equally vain to exhort men—and censure them when found backward—to prosecute high and severe studies who must hunt after situations of 30 or 40 Rupees

a month, as have actually turned out to be the case with the first set of graduates of the Madras University, and will ere long be the case here. It throws cold water on the zeal of those young men who find themselves thus compelled to beg and cry for mere pittances after all their heavy expenses of a collegiate education, and days of hard work and nights of vigil. One can hardly blame them for making unreasonable demands, if they say, "Reserve respectable situations for those that deserve, let us have only where-with to support ourselves as scholars,—let us have 'fellowships.'" Some true Anglo-Saxons may hereupon exclaim; look, there is the native character,—they value knowledge in so far as it fetches them money. But anticipating the reply to the former we submit, they too are Anglo-Saxons who belong to Cambridge and Oxford, and there are no less than two hundred fellowships in the former University, alone averaging in ten years to 300 Rupees a month; a provision the beneficial effects of which are seen in the successful and earnest cultivators of the arts and sciences,— who abound in those celebrated seats of learning. The greater part of the Anglo-Saxons value science more on account of the aid which it affords to the arts of life than for its intrinsic dignity, more as it conduces to the gratification of the animal appetites, than of the nobler faculties. In fact, the charms of hunger and thirst affect not the natives alone, but unfortunately whole mankind. Well, fellowships have their utility in their own way, just as all other things have. While we are upon this subject we can not pass without raising the question,—can such a help to knowledge be provided in this country. That it can be is beyond the shadow of doubt, but that it will be soon is a question. There is enough of superfluous wealth which needs only be diverted to this channel, much that is squandered away by the millionaires of the land in worthless pursuits which may be devoted to this most useful appropriation. Are not the rich ashamed that the less fortunate of their fellow-subjects are made to depend upon Government for encouragement even in this matter, while they waste their resources often on nothing. It is a cause worth being made an object of patronage even if name, and nothing but name, be the end.

VIII. NATIONAL EDUCATION.*

The *Times*, the apostle of a grossly materialistic policy, occasionally affects, when treating of the institutions of foreign nations, a sort of sentimentalism which would not be out of place in the speculations of socialist philosophers. It has recently had an article on Prussian civilization, in which it laments the co-existence in that kingdom of the extremes of profund learning and dense ignorance. In the land of Kant and Neibuhr, the people are ignorant of what is going on between their government and the republic of Switzerland.

The Prussians are a people for whom a high intellectual rank has always been claimed. They have been distinguished in Germany for the attainments which make Germans eminent over the rest of the world. Their men of letters, their professors, their critics, have been deep thinking, and many-sided, and everything else on which a German values himself. The King affects philosophy and literature and art, and we are always hearing of his cordial reception of the musician or his congratulatory visit to the sculptor. Patriotic aspirations, æsthetic tendencies, are indispensable to a reputation at the court of Berlin. The King at one time is intent on wresting a province from a neighbour—so earnest are his impulses for the greatness of Germany. At another time he desires to establish a German Empire on the ruins of Austria, which he thinks no longer capable of her high mission. Thus it may be seen that he is in intention no faineant monarch, and, if he patronizes translations of Sophocles, set to modern music, it is only as the fitting pastime of a learned sovereign. Now, let us consider the political and social condition of this people, occupying a great place in the world's estimation, educated up to the highest pitch of philosophical refinement, and whom we are apt to imagine discussing the Analysis of the Infinite as we talk of a horse race or the news from Canton.

We are informed, and can well believe the fact, that Berlin is still in almost entire ignorance of all that has passed on the Swiss question. The Prussian papers have either given only the Royal view, accompanied with invectives on Switzerland and democracy generally or they have preserved a discontended silence. Even

* March 19. 1857.

part of a policy, a policy founded on a distinct political principle and having a distinct object. The principles consist in preventing the formation of a national opinion of public affairs: the object is the establishment of official irresponsibility and the social supremacy of the official class. Now it is precisely this policy which a certain class of Indian politicians would maintain in this country. Those who marked with a sort of holy satisfaction Mr. Halliday's prayer at the conclusion of his police minute that ignorance may soon be dispelled from the land, and knowledge supersede the necessity of a strong police and good courts of law, could hardly have missed in that composition the spirit of that policy.

ADDENDA

VIGOUROUS LEGISLATION.*

The series of coercionary laws, the enactment of which has been called forth by the insurrection, seems to have stifled the curiosity and the interest of the community in respect to matters of Legislation. The legislature can not now pass laws too despotic and arbitrary ; and the Indian Legislature was never known to evince a predilection for laws of an opposite character. The exigency is supposed to justify every measure that smells of rigour, and the proposer of a new law is certain to secure a species of popularity in exact proportion to the harshness of his proposal—provided, of course, that the natives of the country alone are affected by it. It is no matter of surprise then that Mr. Peacock's Bill "to authorise the infliction of corporal punishment in certain cases" should have been so long before the public without exciting general attention. The preamble of this Bill sets out with stating that in consequence of the destruction of the jails in many parts of India and the consequent want of prison discipline it is expedient to substitute corporal punishment for imprisonment in cases of simple theft ; and that it is expedient in certain cases that offenders should not be imprisoned for non-payment of fines." We will not stop to enquire how much of genuine fact there is in this statement. We will take for granted that real difficulty is felt to provide for the safe custody of offenders in many parts of the country. But we can not admit that difficulty should be met in the manner devised by our legislature.

Simple theft (as our legislators call it) is punishable with corporal punishment in most parts of the world. The thief is a felon, an outcaste. He can not be degraded more by the punishment than he has degraded himself by the offence. To the first section of the Bill, therefore, which substitutes corporal punishment in the case of simple theft we offer no opposition. Besides, the larger

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* Jan. 28, 1858.

portion of the inmates of Indian jails, and we believe, of all jails, the Neopolitan jails only perhaps excepted, are thieves. It would be considerable relief to the gurdians of peace and prisons if the large class of offenders who come within the purview of the first section of the Bill were excluded from their care. But not one of these arguments is adducible in support of the change proposed in the next section which runs thus :

II. It shall also be competent for a magistrate in which a fine shall be imposed under the provisions of section 8 Act II of 1857 or of section 22, 25 or 28 of Act 28 of 1857, or for any petty offence, such as abusive language, calumny, inconsiderable assaults or affrays, to order that corporal punishment not exceeding thirty stripes with a ratan shall be inflicted on the offender in lieu of the fine, in case such fine be not paid forthwith.

The fearful nature of the change contemplated will be apparent to the most careless reader. It is proposed by the first and second sections to make three-fourths of the offences that come before a magistrate punishable with stripes. We question whether any code in the world contains a provision equally barbarous. Some of these offences are precisely such as men of high feeling and generous natures are most liable to commit. To attach such a punishment as stripes with a *ratan* to this class of offences seems to proceed from the most perverted ideas of criminal jurisprudence. It is to be borne in mind that this law is to be administered principally by assistants to magistrates, young men without experienced knowledge of the social characteristics of the country and often without the capacity to control their tempers, and by Planter-Magistrates strongly embued with a desire to secure the "future position of the European." The effects of the law will permeate every part of native society, and it will establish a permanent reign of terror. Europeans, however intelligent, can scarcely conceive the degradation attached in native ideas to corporal punishment. A grown up man who has once incurred it can never hope to regain, as indeed he should not do, his position in the community. The better classes of the peasantry view it in the same light. It will be in the power of every wretch, native or European. to intimidate any native o f respectability into making any sacrifices, There are perhaps some who think that last few words convey a

saving clause. It is perhaps to ignorance and thoughtlessness of this nature and degree that we owe the whole thing.

The third section of the Bill exempts from the operations of the proposed law Europeans and Women. We cannot undertake a full discussion of the merits of this section as it will necessarily include an analysis of the motives of our legislators. It may, however be permitted to us to mention the Europeans in the army and navy continue subject to corporal punishment. There is therefore no privilege conferred on Europeans such as their advocates claim in order to help on the operation of the "law of race." The Select Committee will no doubt review the policy of putting British Indian subjects below the position of aliens and foreigners.

The skill with which the Bill is framed is admirable. Should it pass into law, we hope our countrymen will bear constantly in mind the advice we now tender them, unless they should prefer thirty stripes to three years imprisonment : When you assault any body, never let the assault be "inconsiderable" ; your affrays should invariably be attended with homicide ; eschew abusive languages unless in the open street and in company with movements of the body and limlt that shall bring your offence under Act I of 1856 ; and when you happen to calumniate anybody, obviate the consequence by adding to what you have said something that will make your enemy more anxious to hush his complaint up than take the benefit of Mr. Peacock's law.

THE ARMY.*

The future of the Indian army will now form a subject of more anxious speculiation even than its past. If no considerations of justice avail, the mere necessity of providing for the officers of the Bengal army will compel ministers to think of keeping up an exclusively Indian army. There are insuperable difficulties in the way of amalgamating the Indian with royal service. In fact it is not power of even H. R. H. to abolish the professional existence of the rearers of the British Indian empire any more than he can bring Sir Charles Trevelyan's scheme to work. The mutinies have been

* March 4, 1858.

very extensive, yet there are now a hundred thousands Indian soldiers bearing arms in the service of the British Government and twenty five thousands without arms. The levies made in the Punjab, in the country beyond the Indus and in Central India, are, we believe, somewhat enormous in numbers. By the time the dust and smoke of the rebellion clear away, we shall probably find the Government of India master of two hundred thousands native fighting men, whom it would be simply impossible to dismiss from employment. This huge mass of combatant men must be kept in discipline, and four thousand effective officers are not too many for the work.

This army will, we venture to predict, continue to be an Indian army exclusively. The men may be sworn in to serve the Queen in all parts of Her dominions, but the character, composition and destinies of the body will be purely and simply Indian. China or Egypt or the Indian Archipelago or the African coast might demand on occasion contingents of Indian troops, but the aid lent will be of the most temporary and exceptional character. The ministerial promise that every soldier in Her Majesty's service, whether European or Indian, shall serve in whatever quarter of the world his services may be required in, will assist the progress of the Indian Bill, but, in practice, be impossible of execution. The speculations about the Bengal army list being merged in Harts's by the Indian officers being bodily transferred to the mercies of the Horse Guards are still less probable. And the "purchase system" may die or live without interesting any but actuaries, administrative reformers and the *Saturday Review.*

If then there is to be an Indian army of two hundred thousand men, we have no cause to participate in the apprehensions entertained by a contemporary of disaster and ruin to the position and prospects of the officers of the Indian army. The army must in the main be what is called regulars. In division and arrangement it must follow the European model. We believe the hardiest reformer will not propose that every Madras regiment should be broken into the form of the Scinde Horse. And upper India though convicted of mutiny, will be sufficiently punished with military degradation in some other form than by being given over to Adjutants of Police Battalions.

The position of the Royal army in India will, we fancy, continue to be what it has hitherto been—only there will be quartered in this country a larger number of European regiments of the English line than has hitherto been the case. The system of relief will remain the same as heretofore. The Royal Indian army will form a distinct body even if every appointment on the staff were filled by H. R. H.'s nominees. The prohibition of enlistment in Europe for the Company's cavalry merely establishes the point that the local Indian army should be a native army.

The appointment of Lord George Paget as Inspector of Cavalry in India indicates more plainly than any appointment yet made the manner in which the Horse Guards will use its future opportunities of giving away Indian money. Indian Reformers will waste their energies if in securing "Indian Reform" and the "abolition of the Company" they content themselves without requiring some guarantee that the abuse of patronage which is held in some check by the press and public of England does not run riot in India where English politicians believe there is not even "a people."

THE NEW ARMY

Whether India be governed in the name of the Queen or the Company, whether Lord Ellenborough or India House clerks direct its affairs, whether Bengali Zemindars or Indian Leaugers influence its domestic politics, one thing is clear, one policy is sure, one principle incontrovertibly correct. There must be an efficient Indian army, and the European portion of the troops must be considerably larger than it ever was. It matters little to this end whether the soldiers enlisted swear fidelity to the sovereign direct or through the East India Company. Perhaps it is all the better that the permanent additions which may now be made to the European force in this country should be made in the name of the East India Company. They will then be real additions to the Indian army. For however else the future Indian army may be organised, one arrangement is sure to be adopted. There must one army exclusively Indian; and another, a portion of the imperial army garrisoning it as other dependencies and colonies of the empire are garrisoned. The strength of this latter branch of the

Indian forces must of necessity vary according to the exigencies of the imperial government. Another Crimean war may call away the battalions which are now winning back revolted provinces, in spite of the remonstrances and warnings of the local government. Parliament in some fit of economy may reduce their strength and their efficiency. In fact, this branch of the force is liable to changes dictated by considerations altogether unconnected with India, and for ordinary purposes of security main dependence must be placed upon the Indian army proper.

It is in this view that we receive with delight the announcement of the addition of three European regiments of infantry and four of cavalry to the Bengal army. The three new infantry regiments will probably be of the strength of the three already existing, and are evidently a mere instalment of larger reinforcements to the European infantry in India. The four cavalry regiments will almost suffice to fill up the hiatus caused by the defection of the native regular cavalry. Each of these regiments will contain troops of seventy troopers each, with the usual complement of non-commissioned officers. Its numerical strength will therefore be nearly double of each regiment of native regular cavalry. The four regiments will be officered by the officers of the eight regular cavalry corps which have completed their work of self-annihilation. They will be equipped as light dragoons. Some very just strictures have been passed on the mode in which the allotment of officers have been affected. Those of the 1st and 3rd light cavalry are transferred to the 1st Bengal European light cavalry; the officers of the late 2nd and 7th regiments are made over to the 2nd European cavalry; those of the 4th and 6th have been alloted to the 3rd; and those of the 9th and 10th to the 4th European regiment. A necessary consequence of this allotment is that junior officers in the new force will take the place of seniors. The injustice will be the more severely felt among the officers of those regiments which, mutinying or destroying, murdered the fewest of their officers. So easy was the remedy for this state of things that we wonder with some of our contemporaries that it was not adopted. If the officers of the entire Bengal cavalry had been thrown into one list, and then alloted to the six regiments according to their

ranks and seniority, there would not have occurred that glaring injustice of which we complain. The argument that officers in the Indian army have a vested interest in regimental promotion up to a certain rank, and that consistently with that right promotion can not be allowed to begin from a lower step, is wholly inapplicable to present circumstances. Officers in the Indian army are entitled to the benefits of ordinary casualities and the chances of active service, but not to the benefits of a mutiny among the troops they commanded. All the effective officers of the 2nd light cavalry were murdered at Cawnpore. Is this fair that the absentees from that regiment should share in the most rapid promotion while those who passed through unexampled perils and succeeded in keeping the reins over their men should continue to lie in the back ground ?

THE FIRST INDIAN DEBATE.*

The debate which took place on the evening Parliament reopened for the transaction of business, though turning much upon the Indian question, did not distinctly bring to light the opinions of politicians in either house upon specific points of Indian policy. The first Indian debate, properly so called, of the session occurred on the 7th ultimo, when Lord Ellenborough brought forward the subject of the Press and Arms Acts of the Indian Legislature. He condemned the policy of placing Europeans and natives on the same footing though he admitted that "nothing should be neglected which could secure the confidence of the natives of India." Lord Grenville met this speech by a distinct denial of the correctness of Lord Ellenborough's view, as to what should be the relation of Europeans to natives in India ; and vindicated both the Press and the Arms laws. "He quite agreed with the noble earl that no effort should be spared to secure the confidence of the natives, and he was sure that when history should pronounce its verdict upon these transactions in India, its high eulogium would be passed upon Lord Canning for having resisted the pressure to put the Europeans and natives upon a different footing, a

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* January 21, 1858.

measure which would lead the whole mass of the population to regard the government as a partisan and violent hater of their race." Similar sentiments were uttered by Lord Grey, the Marquis of Clanricarde and the Duke of Argyle, and the only support which Lord Ellenborough appears to have received was from the Earl of Malmesbury, a nobleman closely bound to him by party ties.

The first Indian debate of the session has then, we submit, unmistakeably shown that the efforts which are being so strenuously made in certain quarters to make the revolt an occasion and cause to ensure the political degradation of the natives of India are not likely to prove successful. Parliament will not sanction those measures of "rigid repression and coercion" which have been so cordially recommended for our countrymen. If anything could add to the strength of this belief it is the treatment which the petition of the British and Christian inhabitants of Calcutta to the Queen for the recall of Lord Canning has received. That petition has been sent back to the petitioners by the premier in order that it may be forwarded through the hands of the Governor-General of India. We will not exult over the annihilation of hopes and the frustration of wishes that never commanded our sympathies nor add to the poignancy of griefs already perhaps intolerable but we trust that the incidents we have mentioned will convince our European fellow-subjects that disconnecting their interests with ours is not the best policy they could pursue under circumstances of common point.

THE DISARMING ORDER

We implore the Government of India to think over this question before it turns into an event. Educated English gentlemen need not be told how an Asiatic gentleman feels when the sword which hangs at his gate is taken away. They instance the disarmament of the Highlanders. There is nothing in common between the Highlanders of the last century and India of the present in this respect. The Highlanders used their dirks against each other and against the Southerners in the southern cities. Their arms were at the bidding of their passions. Our swords grace our lobbies, harmlessly ornament the persons of our servants, and occasionally supplement the uses of our police.

Why are the people of India to be disarmed? Because they rebelled? That is past and gone; and surely disarmament is not intended to be an act of revenge. Let us see then how it will operate as an act of precaution—precaution against rebellion. During the rebellion, the rebels never wanted cannon balls and ammunition of all kinds. India asked or possessed neither cannon balls nor gunpowder. When the exigency came, immense quantities of these materials were turned forth, and turned forth under disadvantages which demonstrate the utter impossibility of preventing rebellions by police orders. Great things, such as the prevention of natural risings, cannot be done by such small means. Meanwhile, the operation of the disarming order is creating an amount of irritation and discontent which no measures of beneficial policy will ever after succeed in eradicating. The insult will rankle in every bosom. Good laws, mild administration, the most courteous treatment, will not obliterate the sense of wrong and humiliation suffered which the deprival of arms by the instrumentality of policemen will engender.

In its own territories the Government of India by enforcing the Arms Act is laying the foundation of sufficient evil. When, however, it carries this high-handed policy into other states and compels its native tributaries and allies to carry out the obnoxious measure in their territories, it infringes rules other than those of policy. The Government of India has no right to force on its allies the adoption of measures certain to compromise them with their subjects and make their rule odious—consequences which it itself may perhaps afford to despise. The Nawab of Rampore has yielded to the coercion. But he yielded because the power which made him perform the odious act could readily protect him from the consequences. Such, however, is not the situation in which the Rajah of Jeypore and the other princes of Rajpootana are placed. They rule over feudatories with whom their arms are the material representatives of honor, subjects who appeal to legend in vindication of their right to hang the sword by their waists. The Rajah, we are told, has expressed his inability to enforce the measure which his powerful ally would force upon him. Troops, it is said, are marching to make the order obeyed. We feel anxious for the result.

THE NEW DANGER

The parties that petitioned the throne for the recall of Lord Canning have been disappointed. The ruling-men in England refuse to sympathise with the suffering Britons. But this defeat has only served to cause the belligerents to shift their position and change their tactics. They no longer declare open war. They no longer load the gale with their curses and threats. As they have failed to compass the destruction of the man they hate by violent means, they are now striving hard to entice him by the gentlest blandishments to commit political suicide! They appeal to Lord Canning's feelings of delicacy, to his pride, to his sense of honour, to his love of his fallen friend and they suggest that he should—resign! This is rich as well as rare.

The *Times* has come across the waters for all the world like a Dhunna, and the London correspondent of the Serampore weekly follows the false and yet bewitching dame as her goblin page, and the great Frog concert, the Reform League is absolutely voiceless with joy! They believe they have at last touched the right chord.

We beg leave to warn Lord Canning. The Governor-General has piloted the vessel of the State through a tremendous storm with masterly skill and wonderful intrepidity. He has won the approbation, nay something more—the love of a vast nation. Why should he, when the troubled waves are subsiding around him into their wonted calm, resign the helm and sink into obscurity? Why should he sacrifice the most brilliant prospects of historic fame, of sure future political apotheosis? To oblige the "Reform League"? We don't believe his lordship capable of such weakness—at any rate, he has hitherto given no proofs of it. We do not know if the brilliant nobleman who preceded him could have acted with such admirable moderation, could have withstood such tremendous temptations to forget—at least for a season—the duties which he owed to the country, to the innocent many who never sought to fraternize with the guilty few. The haughty Marquis would, in all likelihood, have made ship-wreck where the deeper Viscount has saved an empire.

But we believe it is almost surperfluous to praise Lord Canning. The section of the community whose opinions and tastes it is our

peculiar and proud privilege to form and strengthen, need not be told that Lord Canning is the saviour of India—not India as represented by the clamourous brotherhood who have banded themselves together to poison the ear of England against us, but India with its teeming millions, its ancient civilization, its own national peculiarities of thought and feeling. And as for the great English public, is it not rapidly regaining its usual healthy tone? The disease that for a while fired its blood to fever heat has been subdued by the inborn strength of its constitution, and must soon be driven away. The turn in the tide is no longer a probability—it is an "accomplished fact."

But the question is—will Lord Canning be able to escape the new danger? Will Ulysses pass unscathed the soul-enthralling melody of the Sirens that are singing so sweetly to tempt him to guide his vessel towards their enchanting shores and there perish? We shall see.

THE INDIAN BILLS*

The people of India were justified by past experience in expecting from a Tory ministry a larger measure of justice than the Liberals, notoriously incapable as they are to rise above the conception of parish policies, could ever have extended to them. Even from the prejudices of the present Indian minister, and they are neither few nor weak nor very amiable, we felt hopeful of things that we would not have dreamt of under another presidency. No living English statesman who has borne or is likely to bear official responsibilities is prepared to concede to us so much self-government as the Earl of Ellenborough. Deep, however, was the disappointment when it was found that an opportunity so noble as was lately presented to the Tories for remodelling the Indian government was sacrificed to the purpose of party. When Lord Ellenborough came to power he brought with him ideas of carrying through the most original schemes. Had he been true to himself,—had he embodied in his Bill those well defined ideas on Indian government which he impressed on the Parliamentary Committees of 1853, he would now

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* *The Hindoo Patriot*, May 27, 1858.

have remained master of the situation, and his party would not have had to bear humiliation of owing safety to Lord John Russel.

We shall not speculate upon the extent of each cabinet member's share in the concoction of the Bill introduced by Mr. Disraeli. The people of India and the civilized world will hold Lord Ellenborough responsible for whatever direction Indian legislation had taken in Parliament at this critical period of our history. He had the power to guide it any way he chose. Had he brought forward a bill transferring the entire direction and control of Indian affairs to the hands of a single Secretary of State, and made provision for the neutralization of a too violent action of the English element by a judicious modification of the constitution of the local machinery of government, the British public and Parliament would not have dared to question the soundness of his scheme as they have dared to criticize the present Tory plan. Had he even formed the measure on the principle of governing India through the votes as well as labours of the services he would still have found efficient support. Had he given way to his more generous impulses and instead of flattering a knot of factious English constituents bestowed the same franchise on natives of India qualified by proper qualifications, the very magnanimity of the plan would have commanded assent to its details. The constitution of the Indian government is probably not destined to be altered in the session of 1858. All parties will have learnt before its end that a regard for the interests of the governed is the best security of the reputations if not of the powers of the governors. We hope to see the present ministry in power next year. We hope also to see it wise and patriotic enough to give a new constitution to India modelled solely with a view to the benefit of its teeming millions.

THE MISSION OF THE MUTINIES

From Brahma to Fichte there has always existed a class of philosophers who have insisted upon the absolute supremacy of the law of destiny in the development of historical events. According to them there is a formal history of the world which time in its progress only serves to fill up with concrete events. However otherwise we may argue in our rationalistic hours,—at moments

when are guided by pure instinct, when mere human hopes and fears and not the "learned lumber" of philosophers influence us there appears to be God in History. All great convulsions on earth and all grand movements among our species have such appalling peculiarities about them that despite our reasoning to the contrary, the conclusion is forced upon us that those convulsions and those movements were predestined. Every great man appears to be born with a task separate from the one he shares with all humanity. Every great event has a significance other than the one the popular eye attaches to it. Every great nation appears to exist for a particular purpose which only succeeding nations perceive with the best advantage. Assyria, Babylon, Greece and Rome had their respective missions which they duly fulfilled ere they were numbered with the things of the past. In no respect is Great Britain inferior to those classic lands, and her connection with India is such a curious incident on the page of history that it has universally been agreed upon to allot her a mission. One of the objects of that mission, in this country, appears now to be the creation of a spectacle of a transcendent splendour, the eighth wonder of our planet to create namely, the fusion of two distinct civilizations.

Men may not relish it, they will exert their little best to oppose it—but the will of Providence must be done. For a century England has been plying her mission apparently with every success. But there must have been something rotten at the core—else why this disastrous mutiny—this sad interruption to the holy work? Surely the unexpected revolt, with so many peculiarities about it must have had its mission too; for, short of that, it could not perform this function, as it most unmistakeably has done and is doing, in the predetermined policy of Heaven. Let us inquire. England's rule over India, if it has not been quite of an unexceptionable character has at least been one of the best that distant subjects, deprived of self-government, have ever had. As far as security of person and property is concerned, it has in some parts been absolutely the best ever had in India. The East India Company, though it excluded which they held under previous dynasties, compensated for this jealousy by abnegating all their national—and they were insular, English—prejudices. Under the auspices of Europeans, railways have crossed over impassable forests and electric wires

traversed through the length and breadth of the land. Steam boats (we are in no mood of bantering) have now superseded the cumbrous conveyance of older days. Good roads have been constructed. In a word, all the material paraphernalia of European civilization have been transported to India in whole masses. Yet still the people have remained unreclaimed. They have resolutely, if not in all cases openly, turned a deaf ear to England's voice of welcome. However official report-wrights might wish to blink the truth, there lies the stern fact. In the face of all these exertions to convert India to occidental civilization, and in spite of all the energies spent to conciliate her, the people have rebelled.

Whence is this phenomenon? The system pursued all over the earth has been successful. Wherever the restless foot of the Anglo-Saxon has planted itself there the race has attempted to force its civilization upon the reluctant aborigines, and in nearly all the cases we can remember the latter have in the end submitted to superior power, though not without a murmur. In America where they stoutly refused it, the Aboriginal race, the efforts of the Aborigines' Protection Society and professional philanthropists notwithstanding, is all but extinct. In New Zealand and the islands of the Pacific Ocean the natives have copied the settlers to nature and from them adopted grog as well as ruffianly habits. Why should British civilization meet with so unaccountable a repulse in this country alone?

The explanation of the mystery is, we fear, to be found in the fact that India has a civilization of her own, and that in the matter of that article she thinks she can afford to be independent of the charity of all the nations of the globe. She possessed laws and a social organization in some respects all but perfect at a time when Great Britain was the mere den of painted savages. Her traditions are almost coeval with the present crust of our planet. Before the Greeks, whose philosophy Berkeley improved upon, were born, she had a superior idealism. The materialists of ancient India are not surpassed in subtility of argumentation by those of modern Europe. We leave out the question of the comparative merits of Sanskrit and European poetry, as there have been critics who think that the very best poetry is the product of the very earliest stage of society. Before the successors of the Apostles turned their thoughts to her,

elevation India had a religion which, partaking in a great measure of the superstitious character belonging to all popular religions, inculcated lessons of morality not inferior to those of Christianity. Before philanthropists in the shape of N. W. Civilians undertook to reconstruct society at intervals of thirty years, and discovered the mode of doing it by the degradation of all classes of men to a democratic level, she possessed the highest and best form which feudalism has ever attained, and consequently superior to all the *isms* that have yet been put to the test. Surely towards such a land and such a people our rulers should have refrained from pursuing a policy which ought to have been reserved only for savages like the Dyaks of Borneo, who, as Rajah Brooke lately said in Liverpool, had absolutely no notion of the Deity and religion, and for the cannibals of the Indian and Pacific Oceans. Did Englishmen who came out to India, in their foolish arrogance, believe in the possible existence of another race equal in intelligence to, but more passionately attached to old institutions than, the Anglo-Saxon? Could they be brought to admit that there were other forms of civilization besides their own, and other social organizations in which people lived as happy and contented as in the one wherein their lot was cast, and could they be brought to learn that there were other limitations to despotism than Lords and Commons, there would have been no mutiny of the Bengal Army and no rebellion in the North West.

We firmly believe that the recent evils of the country were brought on by the systematic ignoring by Indian officials of the civilization of the people. European scholars have long ago acknowledged in terms of surprise and laudation the high refinement of the Hindu mind. It remains for those, with whom is entrusted the immediate government of the country, to learn it. To teach them this, to remind them that in their future intercourse with and legislation for the Natives they may never forget that they have a civilized people to deal with, is, we believe, the mission of the mutinies and the meaning of the sudden interruption to England's mission.

The lesson has been taught. The future will show how our statesmen have profited by it, and with what docility they have received it.

THE ENGLISH IN INDIA

The character has been often delineated, but chiefly in its social aspect, and as it appeared before the mutinies. Captain Evans Bell, Assistant to the Governor-General's Agent at Nagpur, has published a book containing his letters to friends and editors in England written during the height of the convulsion. The book has created same sensation in Anglo-Saxonia. Its great fault is its eminent outspokenness. Captain Bell was in the midst of a very excited population when he wrote the letters, and though he is, we believe, a regular reader of a large number of Indian newspapers, he seems to have escaped the contagion which made so large a number of Europeans, even of birth and education, turn malcontents and nothing else. The letters touch upon almost every subject that is of importance in British Indian politics. The army, the civil administration, the relations with the native princes, education, the law, national rights, all are dwelt upon in a terse style and most suggestive manner. The opinions expressed are felt to be somewhat strong, and Captain Bell's critics make that greater charge upon him. Captain Bell deprecates annexation, holds the opinion of Lord Dalhousie's character and abilities familiar to the readers of this journal, has faith in the future of the natives of India, doubts their "innate vileness," suspects there is not every thing right in proscribing native 'capacity, believes that a native army may yet sustain British Empire in the east, and is altogether a most herterodox politician for an Englishman in India. The book nevertheless has received respectful treatment. This is owing to the number and gravity of the truths it drives home into the English mind. There is no mincing of matters with Captain Bell. From a standpoint eminently fitted to afford large views he speaks without that crabbedness of thought and meaning, that petty conventionalism which characterises the writings of the generality of Anglo-Indian authors.

The opinions of such a writer on the causes of the rebellion must be worth respectful attention. Captain Bell does not hold it to have been a mere praetorian rising. He notices the sympathy which, despite their crimes, the rebels carried along with them, and attributes it to the right cause. The sepoys, says he,

The sepoys were the first in the field, because they were the only organised collected body of men; because they knew that no one would begin without them; and, also, because the last insult, and actually exciting cause of outbreak, the supposed—greased cartridge —forced them into the field. This has been no praetorian mutiny. The sepoys were led to expect that every native chief and every man of the warlike castes would join at their signal, and expel the cold, haughty, and grasping Europeans for ever from India. And throughout India, though all were taken by surprise—for the actual outbreak was not the result of a carefully arranged and premeditated conspiracy—there has been almost universal sympathy for the rebels; and even those men, enlightened natives, who well knew the hopelessness of the ruin which a local and temporary success would bring upon themselves, rejoiced at a check having at last been given to the overweening pride and self-complacency of the British Government.

The overweening pride and self-complacency of the British Government, the audacious criminality of Lord Dalhousie's Acts did perhaps less to irritate India than the audacious insolence of his language. The man who habitually talked of being able to "crush" all who withstood his will was exactly the man to drive a nation into rebellion.

As to the effect of the rebellion Captain Bell is not quite so hopeful as those who calculate purely and simply, the prowess of eighty thousand European troops. He utters indeed on this topic language that will sound as rank heresy in the ears of many.

On the whole, I must arrive at the conclusion that we have gained nothing in prestige, even if we have not lost, at the termination of this tremendous crisis. I must repeat once more, we must not think of garrisoning India, but governing her. A continent held against its unwilling and awakened inhabitants by the physical force of foreign soldiers, even if the nations were not indeed the boldest of chimeras, could never be anything but a source of weakness and expense to the dominant nation. In England we can not afford to recruit, in India we can not afford to pay a much larger force of English soldiers than that which was in India when the mutinies commenced.

There is hope in the thought that amongst those Englishmen who ruled India there are many who think alike with this talented writer.

THE NECESSITY OF A LANGUAGE FOR INDIA

The United States, ever torn by factions and never disuniting; with immense power without an army; governed by a brutal majority and fast progressing notwithstanding; without a foreign policy; with an elective executive without being annihilated in the interregnum of election and with a vicious democracy triumphant, and yet cultivating with success the arts of civilization, are a living wonder to the deserver. Politicians who are at the same time philosophers, like M. De Tocqueville, have however shown that the anomaly was possible only in the remoteness of America from the whirlpool of European politics. It is the same in every thing. Nations as much as individuals are the children of circumstances. There are countries whose position on the map indicate their future. That Britain will be a vast maritime, and Russia a vast inland power, and France unite both, ought to have been predicted by the ancients from the relative positions which those countries hold on the globe. That Suez will one day rank with the greatest cities on earth is a certainty. Surer is it that India will one day be the seat of a power and a civilization such as other parts of the world may rival but not surpass.

Where is the proof? Many will exclaim. Why, leaving patriotism aside, the map is evidence enough. Its very geography tempts one to picture for it a grand history. The past, chequered with misfortune, has nevertheless been grand. And every body, native or foreigner, who has the eye to see it sees a grander future in store for the country. Bounded on the north by mountains the highest on the globe, and on all others by waves in some places as high as the mountain itself, India appears to be destined by Providence to be the seat of an Empire of one great people. The wickedness of man has to this day operated against the fulfilment of the will, but it has only deferred the day. It is England's mission to put India to rights and expiate her numerous sins of annexation,

unlawful conquest and the destruction of many aboriginal races in new continents by lifting up our countrymen to their true place.

Reasoning from analogy it appears to have been one of nature's purposes to render our country independent of all others. She has made India a sort of epitome of the world " the earth in miniature " as the Mausilipatams express it. To descend for once to the school essay style, without its exaggeration—here spontaneously and almost without the planter's toil grow

Whatever fruits in different climes are found,
That proudly rise or humbly court the ground ;
Whatever blooms in torrid tracts appear,
Whose bright succession decks the varied year,
Whatever sweets salute the Northern Sky
With vernal lives that blossom but to die.

The pearl of Ormuz, the gold of California, the diamond of the Brazils, the silver of Siberia and the iron of Sweeden may all be found in abundance in India. Every variety of scenery from the rugged grandeur of an Alpine province to the lowness of an Egyptian plain may be observed ; every variety of temperature from the cold of Lapland to the heat of the Equator be experienced between the Brahmapooter and the Indus, Comorin and the Himalaya, Darjeeling as a sanitarium is better than any Swiss town and Ootacamund may almost vie in climate with Naples. India possesses the finest harbours in the world. In fact, no country has been more blessed with natural resources, and by Providence meant to be more independent of the aid of all others, than this.

Dr. Arnold in illustration of the fact that the different parts of Italy are strangers to one another, says that many years ago two naturalists from Naples having made an excursion to one of the valleys of the Appenines discovered many medicinal plants which the Neapoletans were regularly in the habit of importing from other countries. Still more significant stories might be told of the ignorance of the provinces of India of one another. We all know that the whole Hindu population of this country, wherever situated, are descended from one common stock. They profess the same religion and formerly spoke one language. But the twenty dialects which have since superseded the Sanskrit have had the effect of

making strangers of one's own countrymen owing to these lingual differences. So great has been the estrangement between the different sections of the Hindu nation that a sort of antipathy, of bitter repugnance, of "antagonism of race," if we may call it, is manifested towards each other. Unable to recognize in the Madrassee a brother in. more senses than one, the Hindustanee shuns him as he would a mlecha. The cause of this phenomenon can only be found in the fact of the difference of dialects. Language, more than custom or anything else, is the most distinguishing characteristic of a nation, and constitutes the touchstone by means of which a countryman may be known even in a foreign land and in a foreign costume, and until an unity of language supersedes the present diversity of dialects, all education will keep intact this estrangement between portions of the Hindu nation. So long as this estrangement continues the aim of Providence will remain unfulfilled and India prevented from being a campact empire.

An illustration will bring the thing home to our readers. It is a deplorable fact that were it necessary to rouse the Indian population to any united movement, whether social or political, it can not be done except with the aid of twenty different tongues. Each of the Indian dialects is understood only by a few millions of the two hundred which compose the Indians.

The chief impediment then to the realization of the blest vision of the patriot, namely, a vast powerful national empire on the ruins of the thousand and one distinct states of India, is the want of a language for the Indians. Our readers will, we fear, be startled at this opinion, but it nevertheless is the fact. If language be, as the lexicographers define it, the tongue of a whole country, all, we believe, will go with us in the assertion that we have nothing of the kind. To call the Bengalee, the Oriah and Guzeratee languages—as we have of late been accustomed to hear them called—is as wretched a perversion of the meaning of words as to argue that a part is equal to the whole is a perversion of reasoning. As well might we call the Kentish or Yorkshire dialect the English language. In fact we have only dialects without number. The work of patriots and philanthropic statesmen therefore lies clear. They should join in supplying for India a much needed want; they should give her a language.

VERNACULAR NEWSPAPERS

The death of Baboo Issur Chandra Gupta, well known as the Editor of the *Prabhakar*, recorded in our last issue suggests reflections on the position and prospects of metropolitan Vernacular Newspapers. The deceased, though he possessed in a rare proportion some of the finest qualities of the mind, was by no means a good adept in the contemporary politics of the country ; nevertheless his influence on current Vernacular political literature was great. He was a powerful satirist and a piquant song-writer, and the *Prabhakar* in its palmy days bore no small resemblance to the Anti-Jacobin of the Canning-Free Giffard School, in the fierceness of its satire, the effectiveness of its irony, and the general boldness of its style, though sometimes its fancy degenerated into low facetiousness, humour into vulgar abuse, and its point into meaningless verbiage. In the death of its editor, the *Prabhakar* especially, and the Vernacular press generally, have however sustained a severe loss. The paper may continue, but the talent which lent it its previous importance can not be replaced. It also concerns us to hear that the editor of the *Bhaskar* too is labouring under a severe illness, and though we fervently hope that he might be spared to us a longer time than we have a right to expect, we can not still resist the fear that his usefulness as a journalist has gone out of date from his advanced age. The *Bhashkar* was held by the vernacular reading portion of the English public as the exponent of the thought and feelings of the respectable classes of the Native community and to this position its editor had some claim by reason of his intercourse with men of rank, wealth and intelligence. Did not his extreme fondness for giving in his columns an eclat to every religious ceremony and occurrence mislead his journalistic instincts, his long experience as a writer of local politics added to his knowledge of the views of certain enlightened members of the community on important questions of the day, and the general purity of his language, would make him a valuable member of the Vernacular press. The *Poornoochundrodoy*, the spirited proprietor of which has proved himself of considerable usefulness to the cause of Vernacular Literature by opening his ample press to the reception of original vernacular compositions, must be con-

fessed as a burden on the metropolitan Bengali Press. If the editor, who is at the same time the proprietor of the press support with his fostering care, such periodical publications as his own valuable monthly, diffusing among Bengalee students—the rough medium of translations and original essays—a knowledge of the ancient writings and beauties of Sanskrit authors, he will render infinitely greater service to his countrymen than with his present humdrum daily. As for the poor *Chundrika* we are indeed hopeless ; perhaps it is destined to die unlamented and unpitied. It can hardly be expected to evercommand again the talents of its founder, a man the force of whose writings gained him the acquaintance and esteem of Lord William Bentinck, and other high personages ; and we verily believe that save such talents nothing will again restore the former influence of the *Chundrika.*

Such is the position of the Vernacular Newspaper Press. Its prospects are however not equally dark. New candidates have entered the field of whom the highest hopes can be entertained. An intellectual and refined coterie which has branched out from the Sanskrit College has established a paper named *Shomeprokash* for the expression of its opinions on the political and social questions of the day. This weekly has taken for its model the *London Saturday Review*, and though the community to which it addresses can not maintain such a colossal literary undertaking yet it is conducted by a high order of ability and talent calculated to win for it a very superior reputation. Its style is above the run of the gibberish of the other vernacular papers and its sentiments generally are of a respectable order. We wish that some of its English educated native admirers would take the pains to translate for the English papers such of its lucubrations on local politics as to give faithful pictures of the Native views of the questions. *The Education Gazette* is another weekly of some merit. We accordingly regret that it should be restrained from ventilating in its columns political topics. This is a virtual gag, and the sooner it is withdrawn the better for the reputation of the Government which contributes in a great measure to its maintenance. But we hope the conductors of these papers will perceive that the present position of the elder members of the Vernacular Press and the general ap probation with which their efforts have been received are emphatic

signals of the necessity of the frequenter appearance of their journals. They should convert their weeklies into dailies and prosecute them with a zeal and perseverance equal to the importance of this new era.

Our educated countrymen will also bear in mind that the time has come when government of this country must be conducted by an adequate deference and large concessions to Native opinion; they should therefore take prompt measures to multiply the organs of such opinion. They should strengthen the representation of their sentiments both in English and in Bengali, and raise their voice loud enough to reach Britain's shores. Unless the Native press is fortified in number and intelligence little will avail for us to advance our claims to "better Government." We, therefore strongly urge upon our intelligent countrymen to open fresh channels for the expression of national thoughts and feelings in both the Vernacular and English languages, to marshal their strength and regulate their march in a measured and far-seeing style, and to so conduct their forces as to successfully repel insolent assaults on Native rights and possession.

GOVERNMENT CONNECTION WITH RELIGION*

The Baptist Missionary Society in the late petition to Parliament place the question of Government interference with religion in India on the broadest ground. As the oldest Protestant organisation for the diffusion of Christianity in this land the society has a right to speak in the authoritative manner it does as respects the effects of interference by Government or its officers with the spread or maintenance of any form of religious belief. The duty of the Government, according to the petitioners, in reference to religion, is " to separate itself from all the idolatrous usages of the people, prohibit such practices as may be injurious to public order and decency, or to the civil and social rights of any of Her Majesty's subjects, and to secure to every rank and condition, to servants as well as to all other classes—European and Native—the freest exercise and expression of their religious sentiments."

* April 22nd, 1858

These are the general principles of a policy from which dissent can not be expressed without a corresponding display of absurdity. That strict religious neutrality should characterise the proceedings of the Government of India towards all classes of people with which it has any connection has been the accepted maxim of the most eminent statesman. But the petitioners do not content themselves with the enunciation of general principles. They do not stop short of the conclusions which flow from the acceptance of those principles. They boldly grapple with an evil powerful alike from interest and association. It has often been our duty to sound the alarm when attempts have been openly made to found a political connection between church and state of India. The petitioners in plain language advert to this evil.

"That your petitioners represent to your Right Honourable House that the establishment of an episcopacy, or the appointment of chaplains, by the British Government for the conversion of the natives of India to Christianity, in what way soever supported, would be most hazardous to the peace of India, if not be the continuance of the British empire in Hindustan; and they further believe that such interference with the spread or maintenance of religious truth, or the endowment of any form of religious belief, whether Christian, Mahomedan, or Heathen, even for the religious instruction of the servants of Government, is beyond the province of the civil power, and most seriously detrimental to the best interests of Christianity."

The most uncompromising enemy of the Indian church establishment has never yet gone so far. The plea for its existence officially given, namely, that the establishment conduces to the maintenance of a high order of morality among the upper orders of public servants has hitherto been accepted very generally; and men of common sense have only protested against the extension of the establishment merely to strengthen the church in India or the multiplication of expensive prelacies. The Baptist Society, however, take their stand upon pure and simple voluntaryism, and insist on the abolition of the Indian church establishment upon the ground that any departure from principle of the voluntaryism and strict neutrality, any endowment of any form of religious belief is calculated to endanger British dominion in India. The opinion

may be a strong one, and action upon it at the present time may be inexpedient. But it would be well for our countrymen to note that in any efforts they make to throw off the burden of the Indian church establishment, they may reckon upon the support of influential parties in England.

An attempt on the most formidable scale will no doubt be made ere long to extend the church establishment in India. So long as Lord Ellenborough remains at the head of Indian affairs we do not apprehend any success to it. But the efforts of the evangelical clique are unceasing, and unless watched we may some day be surprised with a flood of chaplains and prelates as useless and as expensive as as the military proteges for whom H. R. H. has found provision in this country. Already the Bishop Designate of Calcutta is said to have signified his " consent " to a division of his diocese with one or more other prelates. Assuming prelatical nature to be wholly devoid of ambition, we should still not be surprised to find that Dr. Cotton has found vast mind in an arrangement that should erect Calcutta into a see with a suitable number of suffrages to support his dignity and the fabric of the church establishment in India.

MR. JUSTICE WELLS'S SECOND APPEARANCE

Of the many great qualities for which Mr. Justice Wells gives himself credit, boldness is the one the possession of which by him we most readily admit. When he first broke out against our countrymen he did it "boldly." When again in his last charge to the grand jury he repeated his calumnies, he did it "boldly" too. The bold heart, however, has betrayed him into rash speech. We doubt not he believes that we are a race of confirmed perjurers and forgers. But he is a little too "bold" when he goes to tell us that his belief rests on the results of his observation. We know not what he was in England. He himself spoke of his eighteen years' experience at the English bar. The first eighteen years of the professional life of an English lawyer, whose fame was at its maturity confined to his circuit, is not likely to have afforded opportunity for the collection of great experience. In a temperament so warm and a mind so imaginative the facts observed in eighteen years

could not have done much to promote the formation of correct opinions. We know more of Sir Mordaunt Wells here. We know that when he first launched forth in the abuse of our national character his experience of our countrymen was limited to one sessions, and the treatment he has received from those he has caluminated as well as those whose prejudices he has thereby flattered is not calculated to correct the notions—they can scarcely be called opinions—he had so hastily formed.

We have no objection to Sir Mordaunt's glorying in the great fact that he is the first Judge on the bench of the Supreme Court since the assumption of the Government of this country by the crown. We have no objection to his considering himself "bolder" than his predecessors, and if he even chooses to add his companion judges or successors. We shall not quarrel with him. We have no objection to his sifting every case well and making an example of those who are found guilty of prevarication which sometimes arises from impaired memory and momentary confusion and not from corrupt motives alone. We have no objection to his shaking the Court House with the thunder of his eloquence on the first day of every sessions, and making angry exhortation to native jurors to buckle on their armour as his apostles—though some of his predecessors who had not his boldness showed their interest in the moral amelioration of the country by continued and sustained devotion to the furtherance of education and other direct instrumentalities. We do not object to Sir Mordaunt confining himself to the Penal Code alone for the purpose. We have no great objection even to Sir Mordaunt's rambling dissertations and if he chooses he can in his next charge to the grand jury discourse as grandly on fossil geology and trace the filiation and habitation of the Dodo, and he has done on the Black Act.

What we object to in Sir Mordaunt Wells is the tone and animus of his remarks on the character of the natives, and one who reads his first and second charges will at once see that he is prejudiced against the people of this country to a degree that impairs his judicial efficiency. We admit that there is a good deal of perjury in India. But is perjury committed only by the natives? What are the lower orders of Europeans doing in the Police and Small Cause Court here! Is it not a matter of notoriety that in admiralty

cases sailors are constantly perjuring themselves? And is perjury only known here and not in Europe and America? Sir Mordaunt Wells has been pleased to notice Shibkissen Banerji's case in his charge, though he must have been well aware that an indictment was under preparation, and a discreet judge in his shoes would have checked the enthusiasm which kindled Sir Mordaunt to advert to the case from a fondness for generalization. As he has however done so, we will say a few words on it. The case of Shibkissen Banerji alone falsifies Sir Mordaunt's conclusion. The native witnesses called in every case do not perjure themselves. The Court disbelieves the evidence of an Englishman who is a F. R. C. S. The Chief Justice in his judgment says, "if it were necessary I should not hesitate (and my learned colleagues concur with me) to act on the evidence of Ramnarian Dass," and declares that "these are not the signatures of the testator notwithstanding the evidence of a European, a member of the Royal College of Surgeons," We are also given to understand that the evidence of Baboo Rajendra Dutt was very straight-forward. It is well known that there is a class of men who live here and elsewhere by perjury, and if they are constantly brought before the Supreme Court and found to prevaricate, let them by all means be punished, but let them be not considered exponents of the character of the whole population.

For once Sir Mordaunt Wells's boldness failed him. When getting a dim perception of the weakness of that which he relied upon, his personal experience, he called in authority to his aid. Unfortunately for his cause he first tumbled upon Mr. Ross Donnelly Mangles. We fear the worthy Puisne is not aware of the extent of his misfortune. We are confirmed in our limited estimate of Sir Mordaunt Wells's powers of observation by seeing the election he has made for an ally. The man who on a question of fact seriously calls the ex-Director of the East India Company for his witness must habitually be a very careless observer of events. The portion of Mr. Mangles's testimony selected by Sir Mordaunt Wells is what that worthy office-holder said to the parliamentary committee which sat on Indian affairs in 1853. The occasion, it should be remembered, was one which in the end proved to the English, what was long known to the Indian public about Mr. Mangles's scrupulousness when narrating facts. From that date Mr. Mangles

could scarcely open his lips in parliament without discrediting the best of causes. And this is the friend to whom Sir Mordaunt Wells resorts in his hour of need.

Sir Mordaunt Wells next appeals to Sir Lawrence Peel. This judge, though a keen observer of human nature, had early imbibed the dangerous habit of forming hasty opinions and enwrapping them against all possible destruction in the thickest prejudices. During the entire period he remained here he kept himself in such insulation from the natives that his opinions upon their character have much less value than upon any other matter.

Between Sir Mordaunt Wells's first and second eruptions there was ample time for him to collect materials in order to make the latter more effective than the fomer. He did not waste the anxious period. He re-read Macaulay's essays, dipped into the testimonies of every public witness who, like Mr. Mangles, by their known character, afforded promise of replies of the kind required by Sir Mordaunt Wells, ransacked every other repository of slander, scraped together all the cases he knew which supported his views, carefully stored them up, and in one fierce explosion poured the burning lava down on the devoted heads of the native Grand Jurors and the community they represented. We must observe that after the manner in which Sir Mordaunt has been pleased to attack our countrymen, they cannot be blamed if they feel a want of confidence in his judgments in cases in which Europeans are on one side and natives on the other. We are indeed sorry that the Supreme Court which in the days of the Ryans, Grants and Peels enjoyed the highest degree of confidence is being lowered in public estimation. Sir Mordaunt shows the height of his animus by deprecating the Madras petition. He is opposed to the numerical strength of native Petty Jurors being increased but upon what grounds we know not. Is there a single instance of native jurors having acted otherwise than honorably ?

We see clearly the cast of Sir Mordaunt's mind. The sooner he becomes the President of the Reform League and the patron of the Indigo Planters' Association the more effectually he can continue the cry against the "niggers."

APPENDIX I

LORD CANNING'S PROCLAMATION OF 15th MARCH 1858.

The army of His Excellency the Commander-in-Chief is in possession of Lucknow, and the city lies at the mercy of the British Government, whose authority it has for nine months rebelliously defied and resisted.

This resistance, began by a mutinous soldiery, has found support from the inhabitants of the city and the Province of Oudh at large. Many who owed their prosperity to the British Government, as well as those who believed themselves aggrieved by it, have joined in this bad cause, and have ranged themselves with the enemies of the state.

They have been guilty of a great crime, and have subjected themselves to a just retribution.

The capital of their country is now once more in the hands of the British troops.

From this day it will be held by force which nothing can withstand, and the authority of the Government will be carried into every corner of the province.

The time, then, has come at which the Right Hon'ble the Governor-General of India deems it right to make known the mode in which the British Government will deal with the taluqdars, chiefs, landholders of Oudh, and their followers.

The first care of the Governor-General will be to reward those who have been steadfast in their allegiance at a time when the authority of the Government was partially overborne, and who have proved this by the support and assistance which they have given to British officers.

Therefore, the Right Hon'ble the Governor-General hereby declares, that Dig Bejoy Singh, Rajah of Balrampur, Kulwant Singh, Rajah of Puduaba, Eao Hurdes Bux Singh, of Katiary, Rashi Parshad, Taluqdar of Sissendi, Jhabbar Singh, Zemindar of Gopal Khera, and Chandan Lal, Zemindar of Moraon (Baiswara), are henceforward the sole hereditary proprietors of the land which they

held when Oudh came under British rule, subject only to such moderate assessment as may be imposed upon them, and that these loyal men will be further rewarded in such manner and to such extent as, upon consideration of their merits and their position, the Governor-General shall determine.

A proportionate measure of reward and honour, according to their deserts, will be conferred upon others in whose favour like claims may be established to the satisfaction of the Government.

The Governor-General further proclaims to the people of Oudh, that with the above-mentioned exceptions, the proprietary right in the soil of the province is confiscated to the British Government, which will dispose of that right in such manner as to it may seem fitting.

To those taluqdars, chiefs, landholders, with their followers, who shall make immediate submission to the Chief Commissioner of Oudh, surrendering their arms, and obeying his orders, the Right Hon'ble the Governor-General promises that their lives and honour shall be safe, provided that their hands are not stained with English blood murderously shed. But as regards any further indulgence which may be extended to them, and the condition in which they may hereafter be placed, they must throw themselves upon the justice and mercy at the British Government.

To those amongst them who shall promptly come forward and give to the Chief Commissioner their support in the restoration of peace and order, this indulgence will be large, and the Governor-General will be ready to view liberally the claims which they may thus acquire to a restitution of their former rights.

As participation in the murder of Englishmen or English women will exclude those who are guilty of it from all mercy, so will those who have protected English lives be specially entitled to consideration and leniency.

APPENDIX II

THE DESPATCH ON THE OUDE PROCLAMATION

The Secret Committee of the Court of Directors of the East India Company to the Governor-General of India in Council.

1. Our letter of the 24th March 1858 will have put you in possession of our general views with respect to the treatment of the people in the event of the evacuation of Lucknow by the enemy.

2. On the 12th instant we received from you a copy of the letter dated the 3rd of March addressed by your secretary to the Chief Commissioner of Oude which letter enclosed a copy of the proclamations to be issued by the Chief Commissioner as soon as the British troops should have the command of the city of Lucknow and conveyed instruction as to the manner in which he was to act with respect to different classes and persons in execution of the views of the Governor General.

3. The people of Oude will see only the proclamation.

4. That authoritative expression of the will of the Government informs the people that six persons who are named as having been steadfast in their allegiance, are henceforward the sole hereditary proprietors of the land they held when Oude came under British rule subject only to such moderate assessment as may be imposed upon them ; that others in whose favour like claims may be established will have conferred upon them a proportionate measure of reward and honour ; and that with these exceptions the proprietory right in the soil of the province is confiscated to the British Government.

5. We cannot but express to you our apprehension that this decree pronouncing the disinherison of a people, will throw difficulties almost insurmountable in the way of the re-establishment of peace.

6. We are under the impression that the war in Oude has derived much of its popular character from the rigorous manner in which, without regard to what the chief landholders had become

accustomed to consider as their rights, the summary settlement had, in a large portion of the province, been carried on by your officers.

7. The landholders of India are as much attached to the soil occupied by their ancestors and are as sensitive with respect to the rights in the soil they deem themselves to possess as the occupiers of land in any country of which we have a knowledge.

8. Whatever may be your ultimate and undisclosed intentions your proclamation will appear to deprive the great body of the people of all hope upon the subject most dear to them as individuals while the substitution of our rule for that of their native sovereign has naturally excited against us whatever they may have of a national feeling.

9. We cannot but in justice consider that those who resist our authority in Oude, are under very different circumstances from those who have acted against us in provinces which have been long under our Government.

10. We dethroned the king of Oude and took possession of his kingdom by virtue of a treaty which has been subsequently modified by another treaty, under which had it been held to be in force, the course we adopted could not have been lawfully pursued, but we held that it was not in force although the fact of its not having been ratified in England, as regarded the provision on which we rely for our justification, had not been previously made known to the king of Oude.

11. That sovereign and his ancestors had been uniformly faithful to their treaty engagements with us however ill they may have governed their subjects.

12. They had more than once assisted us in our difficulties and not a suspicion had ever been entertained of a hostile disposition on his part towards our Government.

13. Suddenly the people saw their king taken from amongst them, and our administration substituted for his, which, however bad was at least native and this sudden change of government was immediately followed by a summary settlement of the revenue which in a very considerable portion of the province, deprived the most influential handholders of what they deemed to be their property, of what certainly had long given wealth, and distinction, and power to their families.

14. We must admit that under these circumstances, the hostilities which have been carried on in Oude have rather the character of legitimate war than that of rebellion, and that the people of Oude should rather be regarded with indulgent consideration than made the objects of a penalty exceeding in extent and in severity almost any which has been recorded in history as inflicted on a subdued nation.

15. Other conquerors when they have succeeded in overcoming resistance, have excepted a few persons as still deserving of punishment but have with a generous policy extended their clemency to the great body of the people.

16. You have acted upon a different principle. You have reserved a few as deserving of special favour and you have struck with what they will feel as the severest of punishments, the mass of inhabitants of the country.

17. One cannot but think that the precedents from which you have departed will appear to have been conceived in a spirit of wisdom superior to that which appears in the precedent you have made.

18. We desire that you will mitigate in practice the stringent severity of the decree of confiscation you have issued against the landholders of Oude.

19. We desire to see British authority in India rest upon the willing obedience of a contented people ; there cannot be contentment where there is a general confiscation.

20. Government cannot long be maintained by any force in a country where the whole people is rendered hostile by a sense of wrong ; and if it were possible to maintain it, it would not be a consummation to be desired.
